

In The Matter Of:
Edgewood High School of the Sacred Heart, Inc. v.
City of Madison, Wisconsin, et al.

Deposition of Sister Kathleen Phelan
August 10, 2022

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1	A P P E A R A N C E S	
2		
3	GODFREY & KAHN, S.C., by MR. JONATHAN INGRISANO, 4 833 East Michigan Street, Suite 1800, Milwaukee, Wisconsin 53202, 5 appeared on behalf of the Plaintiff.	
6		
7	BOARDMAN & CLARK LLP, by MS. SARAH A. ZYLSTRA and MR. TANNER G. JEAN-LOUIS, 8 One South Pinckney Street, Suite 410, Madison, Wisconsin 53701, 9 appeared on behalf of the Defendants.	
10		
11	Also present: Itzayana Saucedo, Intern, Boardman & Clark LLP	
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<p>1 well. So I think that's it.</p> <p>2 Q Okay. So a character witness twice is what you</p> <p>3 recall?</p> <p>4 A Yes.</p> <p>5 Q And so there was a third time or you're not sure?</p> <p>6 A I'm not -- I'd need to think about it, but I do</p> <p>7 recall those two. But that was like 1970s,</p> <p>8 you know.</p> <p>9 Q Fair enough. I'm sure that Jonathan Ingrisano,</p> <p>10 who is sitting here with you, probably explained a</p> <p>11 little bit about the process.</p> <p>12 A Yes.</p> <p>13 Q But just to help talk about that, this is a</p> <p>14 question-and-answer session where I get to ask</p> <p>15 some questions and get your answers to those</p> <p>16 questions.</p> <p>17 Because we have a court reporter that's</p> <p>18 trying to take down both my questions and your</p> <p>19 answers, there are some things that we can do to</p> <p>20 help her.</p> <p>21 A Okay.</p> <p>22 Q The first thing would be to try and not talk over</p> <p>23 each other. So if you can try and wait until I</p> <p>24 get my entire question out before you answer, and</p> <p>25 I'll try and wait until you provide your whole</p>	<p>1 Q Okay. And, Sister, do you have any kind of health</p> <p>2 condition or are taking any kind of medication</p> <p>3 that would affect your memory or your ability to</p> <p>4 give testimony today?</p> <p>5 A No.</p> <p>6 Q Can you tell me what you did to prepare for your</p> <p>7 deposition today?</p> <p>8 A I created a document, Jonathan and I did, and I</p> <p>9 would say just mentally thought through what I</p> <p>10 wanted to put into that statement.</p> <p>11 Q Okay.</p> <p>12 A And just reread that.</p> <p>13 Q Do you have that document here with you today?</p> <p>14 A No, I don't.</p> <p>15 Q Tell me what was on that document.</p> <p>16 A It was a description of me and of my life as a</p> <p>17 Sinsinawa Dominican for years and then some of the</p> <p>18 years that I was at Edgewood High School and the</p> <p>19 roles that I played there and I did a description</p> <p>20 of athletics and the life of a high school, the</p> <p>21 importance of athletics in the high school.</p> <p>22 Q Okay.</p> <p>23 MR. INGRISANO: Counsel, if I can</p> <p>24 clarify, I think she's referring to the</p> <p>25 affidavit.</p>
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<p>1 answer before I ask my next question. Okay?</p> <p>2 A Okay.</p> <p>3 Q The other thing that would help the court reporter</p> <p>4 is for all of your answers to be verbal. So if</p> <p>5 you nod your head or shake your head in response</p> <p>6 to a question, I might prompt you to give a verbal</p> <p>7 response for her benefit. Okay?</p> <p>8 A Yes.</p> <p>9 Q I'm sure I'm going to ask some questions today</p> <p>10 that are either unclear or you're not</p> <p>11 understanding what I'm trying to ask. Just ask</p> <p>12 me to clarify the question. I'm happy to do that</p> <p>13 or to try and phrase it in a different way so that</p> <p>14 you understand what I'm asking. Okay?</p> <p>15 A Thank you.</p> <p>16 Q If you don't ask for clarification, I'm going to</p> <p>17 assume you understood my question and that your</p> <p>18 answer is responsive to that question. Fair?</p> <p>19 A Fair. Yes.</p> <p>20 Q Okay. And then, if you need a break at all during</p> <p>21 the day, just let me know and we can take a break</p> <p>22 whenever you need one.</p> <p>23 A Thank you.</p> <p>24 Q Okay. Sister Kathleen, what's your date of birth?</p> <p>25 A</p>	<p>1 I think she's asking, Sister, what you</p> <p>2 did to prepare for today, your deposition</p> <p>3 here today.</p> <p>4 A But then I thought you asked me what was in the</p> <p>5 deposition, what was in the statement.</p> <p>6 Q I'll clarify, Sister Kathleen.</p> <p>7 A Sure. Yeah.</p> <p>8 MS. ZYLSTRA: And I appreciate the</p> <p>9 clarification.</p> <p>10 MR. INGRISANO: Yeah.</p> <p>11 A Thank you.</p> <p>12 Q My question was what you did to prepare for the</p> <p>13 deposition today. So my question was aimed at</p> <p>14 whether you met with Mr. Ingrisano shortly before</p> <p>15 the deposition.</p> <p>16 A Yes.</p> <p>17 Q So that's one thing.</p> <p>18 A I did that. Sorry if I'm stepping over you, yeah.</p> <p>19 Q It's okay. Did you create any documents shortly</p> <p>20 before your deposition today to prepare for this</p> <p>21 deposition?</p> <p>22 A A new document?</p> <p>23 Q Correct.</p> <p>24 A No.</p> <p>25 Q Okay. And the document you were previously --</p>

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<p>1 A Referring to.</p> <p>2 Q -- referring to, is that a document that you</p> <p>3 signed and dated?</p> <p>4 A Yes.</p> <p>5 MS. ZYLSTRA: Okay. Let's go ahead</p> <p>6 and mark it.</p> <p>7 (Exhibit No. 116 marked for</p> <p>8 identification)</p> <p>9 Q Sister Kathleen, I'm showing you what the court</p> <p>10 reporter has marked as Exhibit 116. Is this the</p> <p>11 document that you were previously referring to as</p> <p>12 having created?</p> <p>13 A Yes.</p> <p>14 Q Okay. We can set that aside for right now.</p> <p>15 A Okay.</p> <p>16 Q Did you speak with anyone else about your</p> <p>17 deposition other than Mr. Ingrisano?</p> <p>18 A No.</p> <p>19 Q Okay. When did you speak to Mr. Ingrisano about</p> <p>20 your deposition?</p> <p>21 A Yesterday.</p> <p>22 Q Okay. And what do you recall regarding those</p> <p>23 discussions?</p> <p>24 MR. INGRISANO: I'm going to object</p> <p>25 to the extent you're asking to invade</p>	<p>1 educational administration from the University of</p> <p>2 San Francisco. I have a certificate from</p> <p>3 Maryknoll School of Theology in theology, and I</p> <p>4 have a certificate from New York University in</p> <p>5 philanthropy.</p> <p>6 Q With regard to the certificate of theology, can</p> <p>7 you give me a little more background as to what</p> <p>8 that entails?</p> <p>9 A I was at Maryknoll School of Theology in New York</p> <p>10 and took classes, just one semester, in like</p> <p>11 Latin American religion, theology. It was a long</p> <p>12 time ago, theology and social justice issues, and</p> <p>13 then I also did some work in Jamaica, in Kingston,</p> <p>14 Jamaica, in a squatter's compound where I worked</p> <p>15 with the women who worked in clothing factories.</p> <p>16 Q And the work that you did in Jamaica was part of</p> <p>17 the requirements for that certificate?</p> <p>18 A It was -- yes. It was like an independent study</p> <p>19 part of it. So not everybody did that. There</p> <p>20 were Dominican Sisters in Kingston, Jamaica, that</p> <p>21 I worked with.</p> <p>22 Q Got it. And with respect to the certificate in</p> <p>23 philanthropy, can you provide me a similar</p> <p>24 background of what that entails?</p> <p>25 A It was when I was living in New York and took</p>
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<p>1 attorney-client privilege. I am representing</p> <p>2 Sister Phelan here today. So the questions</p> <p>3 going to the content of those conversations</p> <p>4 are privileged, and I would instruct the</p> <p>5 witness not to answer that.</p> <p>6 MS. ZYLSTRA: That's fair.</p> <p>7 Q Sister Kathleen, Mr. Ingrisano is your attorney?</p> <p>8 A Right. Correct.</p> <p>9 Q Okay. Did you review any documents recently with</p> <p>10 respect to this Edgewood matter?</p> <p>11 A With Mr. Ingrisano?</p> <p>12 Q Correct.</p> <p>13 A Yes. We reviewed this to some extent, and I</p> <p>14 looked at it was a copy of the Dominican Sister's</p> <p>15 website. There were some pages extracted from</p> <p>16 that.</p> <p>17 Q Okay. Anything else you recall reviewing?</p> <p>18 A No.</p> <p>19 Q Okay. Sister Kathleen, can you give me a brief</p> <p>20 description of your educational background, that</p> <p>21 is, what schools and what degrees you have?</p> <p>22 A I have a bachelor's degree from Edgewood College</p> <p>23 in history. I have a master's degree in</p> <p>24 educational psychology from the University of</p> <p>25 San Diego. I have a master's degree in</p>	<p>1 courses, again one at a time, you know, in</p> <p>2 evenings on major gifts and economics and basics</p> <p>3 of fundraising, which I was doing at the time, law</p> <p>4 and philanthropy in New York in particular.</p> <p>5 Q And was that similar, one semester of classes or</p> <p>6 was it a more --</p> <p>7 A No. It was a couple of years.</p> <p>8 Q Okay.</p> <p>9 A Because I was doing it piece by piece, you know.</p> <p>10 Q Okay. Do you know roughly how many classes you</p> <p>11 needed to take for that degree?</p> <p>12 A Well, my memory is that it was like 100 hours.</p> <p>13 Q Okay.</p> <p>14 A So I would take -- because I was working</p> <p>15 full-time, so I would take a class, you know, or</p> <p>16 two in the evening depending on hours and how</p> <p>17 many. So it took a couple years.</p> <p>18 Q And it was a certificate and not a degree?</p> <p>19 A Correct.</p> <p>20 Q Okay. And you mentioned law. Can you describe</p> <p>21 for me what training you've had in law?</p> <p>22 A It's some school law when I was at the University</p> <p>23 of San Francisco, again in the summertimes, and at</p> <p>24 NYU, I'm trying to remember the context of</p> <p>25 New York and what was -- you know, how like major</p>

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<p>1 gifts were eligible or not eligible within 2 New York law.</p> <p>3 Q With respect to the school law in San Francisco, 4 these were classes that you took as part of your 5 master's degree?</p> <p>6 A Right. It was a summer class.</p> <p>7 Q So one class?</p> <p>8 A Right.</p> <p>9 Q Okay. And roughly when would you have taken that 10 class?</p> <p>11 A Probably like 1984.</p> <p>12 Q Okay. And with respect to the NYU training on 13 law, was that also one class?</p> <p>14 A Yes.</p> <p>15 Q Okay. And was that one class focused upon 16 philanthropy?</p> <p>17 A Yes, in New York.</p> <p>18 Q Okay. Did any of your law classes touch upon 19 urban planning or any kind of municipal issues in 20 law?</p> <p>21 A No. No.</p> <p>22 Q Have you had any training or education in urban 23 planning or zoning?</p> <p>24 A No.</p> <p>25 Q Have you ever worked for a city, a town, or a</p>	<p>1 and a portion of my salary would go to the 2 congregation for the care of our elderly sisters, 3 for people who are getting degrees, you know, 4 younger people. So we're kind of contributing to 5 each other. You know, I keep what I need and I 6 return -- hopefully I have some extra to give to 7 the general fund.</p> <p>8 So to say am I employed by them is not really 9 accurate because we take a vow of poverty, so it's 10 like we try to help each other.</p> <p>11 Q Fair enough. And I appreciate that explanation.</p> <p>12 Let's start with asking if you can relay 13 to me your employment history, because as I 14 understood your answer, you do have some 15 employment.</p> <p>16 A Employment, yes. I taught at Edgewood High 17 School.</p> <p>18 Q Can you tell me the years of that, please?</p> <p>19 A Okay. '68 to '75. A long time ago. That's where 20 I started. And then I went to -- and, again, we 21 are -- I just don't say I need a new job. At that 22 point we were asked to go to the next place, 23 again, under a vow of obedience. I was asked to 24 go to Dominican High School in Whitefish Bay, and 25 I was there from '75 to '80. And then I was asked</p>
<p>1 municipality?</p> <p>2 A No.</p> <p>3 Q I understand, Sister Kathleen, that you are a 4 sister with the Dominican Sisters of Sinsinawa; 5 correct?</p> <p>6 A Correct. Correct.</p> <p>7 Q And I'm pronouncing that correctly?</p> <p>8 A Yes. Yes.</p> <p>9 Q Making sure.</p> <p>10 A Thank you. Thank you.</p> <p>11 Q Are you employed by the Dominican Sisters in any 12 way?</p> <p>13 A You know, that's not really an accurate question, 14 if I might say. Can I describe how we live 15 financially in a short way?</p> <p>16 Q Yes. Please do.</p> <p>17 A Like when I worked, when I was on the staff of 18 Edgewood or Dominican High School or Queen of 19 Peace in Chicago, you know, as a sister, in 20 Dominican Sisters of Sinsinawa, people are 21 different, but we create a personal budget and 22 figure out what you need to live, like what do I 23 need to pay for rent, so it's your personal 24 budget, and then if I get a salary from, like when 25 I was working at Edgewood I would get a salary,</p>	<p>1 to go to Queen of Peace High School in Burbank, 2 Illinois. So these two places I was a teacher. 3 When I went to Queen of Peace, I was an assistant 4 principal. So I was asked to go into 5 administration, which I did at Queen of Peace in 6 Burbank from '80 to '83. Well, '84 I guess, 7 summertime. And then I was asked to come to 8 Edgewood High School, back to Edgewood High School 9 as principal from '84 to '89. And then I went 10 back to Queen of Peace High School from '90 11 to '93.</p> <p>12 Q And was that as a principal?</p> <p>13 A It was development director. It was in 14 administration, high school administration.</p> <p>15 And by then it was like 25 years of being a 16 teacher or an administrator so I decided I could 17 graduate, and I went to NETWORK in Washington, D.C., 18 from '93 to 2000, I think, where I was -- I worked 19 in development. NETWORK is a national Catholic 20 social justice lobby, sister's lobby, in DC. 21 '93 to 2000 I think I went, I was transferred 22 to St. Dominic's Home in Blauvelt, New York, which 23 is a huge social service agency.</p> <p>24 Q And, I'm sorry, can you repeat that? It was 25 Dominic?</p>

1 A St. Dominic's Home. 2 Q Thank you. 3 A In Blauvelt. It's headquartered in Blauvelt, 4 which is B-l-a-u-v-e-l-t, New York. 5 Q Okay. Was the St. Dominic's Home the same years 6 as the Washington, D.C. NETWORK? 7 A No. It followed Washington, D.C. 8 Q Could you -- because I think there was a 9 misspeaking or I misheard. Can you tell me the 10 years of St. Dominic's? 11 A St. Dominic's was 2000 -- I'm trying to remember 12 the months there. 2000 to -- or, I'm sorry, is 13 it '99? I'm just a little confused between '99 14 and 2000 when I left D.C. and went to New York. 15 But it was '99 or 2000. 16 Q That's fine. Rough dates are -- 17 A Okay. And I was there until 2004 when I was 18 elected assistant provincial of the Sinsinawa 19 Dominicans, the vicar's provincial. 20 So we call each other to leadership. So I 21 did that from 2004 to 2006, and then I was still 22 living in New York then and worked at AmeriCares 23 in Connecticut, 2006 to about 2008, again in 24 development, financial development. 25 And then 2008 to 2011 I worked with RENEW	Page 17 1 of volunteer work, and I live here in Middleton 2 now. 3 Q You mentioned from 2004 to 2006 you were an 4 assistant vicar's -- 5 A Vicar's provincial. 6 Q Vicar's provincial. Can you describe to me a 7 little bit what that is? 8 A Okay. At the time it was -- We had a number of 9 sisters in the northeast living in New York and 10 Washington, D.C., so I was in relationship with 11 them. If they had health issues or money issues 12 or whatever kinds of issues they might have, I was 13 like the first call. If somebody fell, you know, 14 if someone needed care. It was basically an 15 administrative position with probably about 250 16 sisters who were living in the northeast at that 17 time. 18 Q Would it be fair to describe that role as focusing 19 primarily internal? 20 A Pastoral, yeah. Yes, very much so. 21 Q Okay. With respect to being a general council 22 member, can you give me a description of what the 23 general council did? Does. 24 A Okay. And at that point in time we were in 25 relationship again to a number of sisters. So I
Page 18 1 International in Plainfield, New Jersey. Again, 2 it's like another Catholic institution. I did the 3 fundraising there as well, development. 4 And then I was elected to the general council 5 of the Sinsinawa Sisters. Every five years we 6 have what we call a Chapter, which is like a 7 convention, it's a meeting of all of our sisters, 8 and we elect new leadership at that time. So in 9 2011 I was -- well, I was elected in 2011 and I 10 think started in 2012 to 2016 as a general council 11 member. 12 So I was out of Sinsinawa in Chicago. At 13 that point in time I worked both places and did 14 whatever was needed in leadership. A lot of 15 administration. 16 And then I had some health issues, so I 17 then -- this really sounds bad, but at age 70 we 18 can, as a Sinsinawa Dominican, again, we can -- we 19 call it we no longer have to do compensated 20 ministry, so I no longer had the responsibility of 21 bringing in a salary. All of these other places I 22 brought in a salary all the time and contributed 23 to the general fund. So in 2016 I was able to, 24 quote, retire, which just means I didn't have to 25 worry about bringing in a salary, but I do a lot	Page 18 Page 20 1 had responsibility to the sisters in Chicago at 2 that point in time and the few who were still in 3 the east. We did a lot of the finances for the 4 entire congregation. We were responsible for the 5 budget, like, of every -- every sister brings her 6 budget together, so then it comes up a step and 7 now what do we have. And we have a number of 8 buildings at Sinsinawa, so it was the 9 responsibility of those buildings. 10 Then we were at that point in relationship to 11 some of our schools. Each of us had a couple of 12 schools that we, you know, tried to be in touch 13 with and have a sense of relationship more 14 personally. So I worked with -- At that point we 15 had five high schools and two colleges, one grade 16 school and a camp, so I was in a relationship with 17 two of our schools in Chicago. 18 Q And which two schools were those? 19 A Queen of Peace in Burbank, Chicago, and Trinity 20 High School in River Forest, Illinois. 21 Q Would you similarly describe the general council 22 role as focused internal or not? 23 A I would say both. It was certainly internal with 24 care of sisters and care of properties, care of 25 our properties. But it was external too as we

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<p>1 were concerned about, you know, Native Americans, 2 of gun control, you know. We have a whole part of 3 the congregation -- or personnel of the 4 congregation that works on peace and justice, so 5 trying to have them inform us, you know, should we 6 be making statements about something in 7 particular, about Ukraine, but, you know, it was 8 something else then.</p> <p>9 Q The general council, does that function somewhat 10 as like a board of directors for the organization, 11 do you know?</p> <p>12 A I suppose you could call it that.</p> <p>13 Q Okay.</p> <p>14 A I mean, I wouldn't call it that, but it's a 15 similarity if we have to make a sidestep to, 16 you know, a management situation.</p> <p>17 Q With respect to the Dominican Sisters of 18 Sinsinawa, does it have a Dominican order or 19 superior for which it fits in the organization?</p> <p>20 A Well, Dominican women are different than Dominican 21 men. So the Dominican women are each separate 22 entities. We have our own constitution, and that 23 has to be reviewed by the Vatican. And we are in 24 relationship. Like there is a Dominican Sisters 25 of Racine, there is a Dominican Sisters of Adrian,</p>	<p>1 the local bishop, which is Bishop Hying right now. 2 So we're in a relationship of communication 3 with Bishop Hying, but he can't tell us what we 4 should do. Well, in some ways he can, but he 5 can't really tell us. He doesn't have direct 6 authority over us.</p> <p>7 Q You referred to the constitution. I don't think 8 I've seen that document. Can you describe to me 9 what the constitution of the Dominican Sisters of 10 Sinsinawa is?</p> <p>11 A It's an important document that we all make our 12 vows to that constitution, to the sister who is 13 the prioress, the president, and she holds that 14 constitution and we all make our vows in the name 15 of that constitution, holding that constitution. 16 And it's basically a legal constitution of talking 17 about some of the history of our constitution -- 18 or, excuse me, of our congregation, our founder, 19 Father Samuel, and the vows that we take and why 20 we take those vows and the importance of 21 community, and some of it is -- you know, it has 22 different points like a constitution has, 23 you know, different numbers. It's just a few 24 pages long, but it is significant to us.</p> <p>25 Q Do you know if that's available publicly anywhere?</p>	
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<p>1 Michigan, San Rafael, California. There are 2 probably about 15 groups of Dominicans now because 3 some have consolidated, so we're kind of like 4 cousins with each other. We're family, but we 5 have no authority over the Dominican Sisters of 6 Racine. If they need help in some capacity or 7 some entity that we might have, we certainly want 8 to be helpful, but we don't -- so we don't have 9 authority over them. We're a family.</p> <p>10 Q Does the Dominican Sisters of Sinsinawa report to 11 any superior other than the Vatican? I mean, is 12 it from the Vatican to you?</p> <p>13 A Right. Well, there is a bishop. Because we are 14 a -- We are called a papal congregation. There 15 are diocesan congregations whose boss is the 16 bishop, one might say, and then there are papal 17 congregations, which Sinsinawa is. So our 18 authority goes to the Vatican.</p> <p>19 You know, if there was something outrageous 20 or if, I don't know, if we had to do something, 21 you know, like if we wanted to change the number 22 of sisters on our council, that's in our 23 constitution, so we would have to ask permission 24 from the Vatican to amend our constitution. 25 Whereas if we were a diocesan group, we would have</p>	<p>1 A I doubt it.</p> <p>2 Q Okay. With respect to your current role with the 3 Dominican Sisters of Sinsinawa, do you have 4 responsibilities?</p> <p>5 A Yes. I'm on -- again, I'm on a lot of committees, 6 and the Sisters of Sinsinawa have a Madison 7 committee on human trafficking, so we've done a 8 lot of work and education at farmers markets and 9 with the governor, in a meeting -- excuse me, with 10 the mayor, in a meeting with her about what's 11 going on with human trafficking in Madison. 12 This is really good. We just -- I just wrote 13 a grant and we got some moneys to have a bus wrap 14 about human trafficking, so we have one bus for 15 \$8,000 for the year, but you might see it go by. 16 Q I will look for it. 17 A It's a beautiful image of a woman and like, Are 18 you worried about human tracking, the hotline 19 number, and then it says sponsored by the 20 Dominican Sisters of Sinsinawa. So those kind of 21 things. So I wrote the grant to help us get the 22 money for that, so we're excited about that. 23 I'm also on the Board of Directors of 24 Edgewood College, so I do some work with them. 25 And within our congregation, we have a committee</p>	

1 that's called the alternative investment committee 2 that we've had for about 25 years where we as 3 sisters, and we also have associates who are part 4 of our committee, they're associates of Sinsinawa, 5 lay women and men, where we really look to 6 organizations that might not be able to get a 7 loan, you know, from the bank down the street 8 here, but if we can help them, it's usually with 9 groups that are doing housing or childcare or some 10 of those kinds of, you know, who are startups 11 really all over the country, then we share the 12 responsibility of those organizations, so I serve 13 on that committee. 14 Q Any other roles with the Dominican Sisters right 15 now? 16 A I'm thinking. I'm on the board of a group that's 17 called the Institute for Communal and Creative 18 Prayer, but that's, I think, it within the 19 congregation. 20 Q Okay. With respect to the roles that you've 21 described, are they all generally based in Madison 22 or Dane County? 23 A Yes. 24 Q Okay. And if I'm -- I'm trying to go back through 25 your history, so forgive me if I'm not getting	Page 25 1 A Yes. 2 Q And can you just briefly describe the difference? 3 A Nuns traditionally are cloistered and they do 4 internal ministries. Like they might have a craft 5 that they do or candles or raise money through 6 caramels. They have different ways, but it's an 7 internal ministry to help support them. And then 8 they spend a lot of time in prayer, in private 9 prayer and community prayer. That's really their 10 ministry. So a nun is cloistered. A sister does 11 public ministry. 12 Q Okay. And I take it based on your recitation of 13 your roles and employment that you're a sister 14 with the Dominican Sisters and not a nun; right? 15 A Correct. Correct. 16 Q Does the Dominican Sisters of Sinsinawa have nuns 17 in addition to sisters? 18 A No. 19 Q Okay. Are there other types of women clergy in 20 the Dominican Sisters of Sinsinawa other than 21 sisters? 22 MR. INGRISANO: Objection. Form as 23 to clergy, but go ahead. 24 A I was going to say, we're not clergy. 25 Q Okay.
Page 26 1 this correct. But it sounds like you lived in the 2 Madison area when you were the Edgewood principal 3 from roughly '84 to '89; correct? 4 A Correct. 5 Q And then am I right that you didn't return to the 6 area until 2016? 7 A Correct. 8 Q Okay. And then you've been here since 2016? 9 A Yes. I should say I was in Chicago in the early 10 Nineties. I'm losing which way you're going here. 11 Q Well, I was just trying to -- so -- 12 A Okay. Sorry. 13 Q Living in the Wisconsin/Madison area, it looks 14 like you were not living here from '89 until 2016. 15 A Correct. 16 Q Okay. But then have been here since 2016? 17 A Correct. 18 Q Okay. Perhaps an obvious question, but for the 19 record, are you Catholic? 20 A Yes. Roman Catholic. 21 Q And have you been Roman Catholic your whole life? 22 A Yes. 23 Q Okay. Is there a difference in your mind of being 24 a sister with a religious order versus being a 25 nun?	Page 26 1 A Priests are clergy. 2 Q That's a fair characterization. I'm trying to 3 figure out how to describe the correct word. 4 Are there other types of women who perform 5 ministries with the Dominican Sisters other than 6 sisters? 7 A Now I need to ask the question vowed members? 8 Q Yes. 9 A All the sisters -- Dominican Sisters of Sinsinawa 10 are vowed members. 11 Q Okay. Are there any vowed members that are not 12 sisters? 13 A No. 14 Q Okay. 15 A Not vowed, no. 16 Q And where are the main headquarters for the 17 Dominican Sisters of Sinsinawa? 18 A Sinsinawa, Wisconsin. 19 Q Okay. And that's in the southwest part of the 20 state; right? 21 A Correct. 22 Q As I understood it, it's not far from Dubuque and 23 not far from the Illinois border; correct? 24 A Correct. 25 Q Okay.

1 A You can find us on the map. 2 Q Does the Dominican Sisters of Sinsinawa have other 3 property other than the property in the southwest 4 part of Wisconsin? 5 A Properties owned by the Dominican Sisters of 6 Sinsinawa? 7 Q Correct. 8 A We have a couple of houses here in Madison that 9 we've had for many years that are adjacent to the 10 Edgewood campus that our sisters live in. 11 We have like a house in Chicago where the 12 sisters live while they're studying at the 13 University of Chicago. Yeah. 14 Q Any other properties that you're aware of that are 15 owned by the Dominican Sisters of Sinsinawa? 16 A No. 17 Q With respect to the couple of houses adjacent to 18 Edgewood, can you be at all more specific where 19 they are, on what street or the address? 20 A Yeah. There is one on Monroe Street right at 21 Edgewood Avenue that we've probably lived in for 22 about 50 years, and there is two right at the top 23 of Edgewood Avenue, adjacent to the entrance to 24 the school. 25 Q Okay.	Page 29 1 you know, participating in things we're invited to 2 at the schools. 3 Q Okay. With respect to Chicago, is it just one 4 house in Chicago or is it multiple houses? 5 A No. It's one house. 6 Q Okay. Do you have a rough estimate of how many 7 sisters there are in the Dominican Sisters of 8 Sinsinawa organization right now? 9 A I think it's 200 and -- if I could look at this. 10 Probably 293. 11 Q With respect to the property in Sinsinawa, 12 Wisconsin, that's owned by the Dominican Sisters, 13 are there sisters who live on site? 14 A Yes. 15 Q Do you know how many live there generally now? 16 A Sinsinawa is -- Again, I think it would help if 17 you looked at the website, I mean just even 18 visually. It's a huge place. And it's our 19 administrative offices, I mean central kind of 20 headquarters, and it's also a place where our 21 sisters in assisted living live. So we probably 22 have about 95 sisters who are in assisted living 23 living there and maybe about 15 in independent 24 living. 25 Q Have you ever lived there at any point in time?
Page 30 1 A Again, that's probably 120 years old. I mean, 2 they've been there when the priests lived over 3 there and the children lived over there. 4 Q Okay. 5 A There is another one on Jefferson, probably like 6 the 2800 block, and one on Lincoln. 7 Q Okay. So five houses? 8 A Uh-huh. 9 Q Okay. 10 A And, again, sisters live in those. 11 Q And -- Strike that. Let me start again. 12 With respect to the five houses that the 13 sisters live in, are the sisters living in those 14 houses actively teaching at one of the Edgewood 15 schools, if you know? 16 A Not now. 17 Q Okay. 18 A I mean, we did. But, again, many of the sisters 19 are retiring age. Some do volunteer work. 20 I'm watching the tree come down over here. 21 Sorry. 22 No one is an active teacher now in the 23 schools. 24 Q Okay. 25 A They're interested in the schools and active and,	Page 30 Page 32 1 A When I was a novice a long time ago. That's, 2 again, where we start out and where we're sent 3 out. I mean, that's the point of it all. It's 4 our headquarters, but it's also where we are sent 5 out. 6 Q Okay. I assume that's also where you would take 7 your vows; correct? 8 A Yes. And that's where we're buried. 9 Q Okay. Do you know roughly what years you were 10 there? 11 A 1964 to 1966. 12 Q Okay. Thank you. Do you have occasion to travel 13 back and visit the Sinsinawa location of the 14 Dominican Sisters? 15 A Yes. But because of COVID and because of the 16 nature of the sisters who are there, we've really 17 been restricted in coming. And sometimes even 18 when COVID kind of lifted, you know, we would have 19 incidence of -- incidences of someone, you know, 20 like on the staff getting COVID, so then we have 21 to close everything up. So we've really been 22 restricted the last two years, I would say, in 23 visiting. 24 Q Prior to COVID would you visit once a year? More 25 than once a year?

	Page 33	Page 35
<p>1 A Oh, probably once a month. 2 Q Okay. 3 A But because that is where our sisters are, we have 4 their celebration when they die, you know, or we 5 have -- we do a lot by Live Stream. 6 Q Okay. 7 A You know, funerals and celebrations and meetings. 8 Q I assume, based on some of your answers, but to be 9 clear, are you familiar with the relationship 10 between Edgewood High School and the Dominican 11 Sisters of Sinsinawa? 12 A Yes. Yes. 13 Q Is there a formal agreement between the Dominican 14 Sisters and Edgewood High School? 15 MR. INGRISANO: Objection. Form. 16 Vague as to formal agreement, but go ahead. 17 A Yeah. I'm a little fuzzy on formal agreement. 18 There is an agreement of sponsorship between the 19 congregation and the high school. 20 Q Is there a written agreement? 21 A That I don't know. 22 Q Okay. What is the agreement? Can you describe 23 the contents of the agreement? 24 MR. INGRISANO: Objection. 25 Foundation. Go ahead.</p>	<p>1 the things that the sisters used to do. 2 Q When you refer to this as a relationship, does the 3 Dominican Sisters of Sinsinawa provide funding for 4 Edgewood High School? 5 A No. 6 Q Okay. 7 A Let me just clarify one thing. I'm sorry. If 8 there was going to be like a capital campaign, we 9 might be asked -- we as a congregation might be 10 asked to make some kind of a donation. So if, 11 you know, the realities of a capital campaign, 12 people want to see who is supporting you, and we 13 would make some kind of a donation to the school, 14 but it would maybe be -- I don't want to quote a 15 number, but it would be below \$100,000. It would 16 not be, you know, a million, by any means. 17 Q Does the -- 18 A But -- I'm sorry. But on an annual basis, the 19 school might help -- excuse me. The congregation 20 might help or give to a scholarship fund to help 21 needy students, let's say, but we don't -- they're 22 not looking to us for an annual, you know, huge 23 donation. 24 Q Does the Dominican Sisters of Sinsinawa provide 25 something to Edgewood as part of its sponsorship?</p>	
	Page 34	Page 36
<p>1 Q If you know. 2 A Well, it's the relationship of sponsorship which 3 we have with each one of our schools, so Edgewood 4 High School is the same as Trinity High School in 5 the sense of it's a relationship, I'd say, of 6 relationship and of accountability. You know, we 7 want to be in relationship -- we, the sisters who 8 are on council, want to be in a formal relationship 9 with the leadership of any institution to know how 10 things are going, that the school is carrying out 11 the values of the Sinsinawa Dominicans and mission 12 and ministry and to be in relationship so one 13 would know, you know, it's a Catholic school, it's 14 one that values community, it values participation, 15 it values civic engagement. 16 Q Okay. 17 A So because we no longer have as many sisters and 18 sisters of an age and skill who can be, you know, 19 kind of more hands-on, we have moved to really, 20 and this is evolving right now, I'd say over the 21 last five years, of really training lay leaders, 22 some of whom went to our schools, to help with 23 what we call a sponsorship council. So they are 24 really looking, with the sisters, at what's going 25 on at each of the institutions, kind of some of</p>	<p>1 If it doesn't provide financial, is there other 2 things that it provides? 3 A I think it tries to provide presence and guidance 4 if there was a situation that needed some backup 5 advice. As I said, we give financially but not on 6 a regular basis. 7 Q Does the Dominican Sisters provide any religious 8 training or does it provide any religious services 9 for Edgewood? 10 A Again, it would be in relationship. Many of the 11 schools might bring student leaders or 12 administrators to the Mound to meet sisters who 13 are in leadership or to learn more about the 14 history of the sisters and perhaps to meet with 15 sisters who taught in that school, you know, who 16 have -- maybe were there for twenty years, 17 you know. 18 But we're not sitting down and teaching 19 dogma. We're talking about spirituality as 20 opposed to theology, I would say. 21 Q And you referred to the Mound. 22 A Sorry. 23 Q That's the -- no, that's okay. That's the 24 headquarters at the -- 25 A It's the same. Sinsinawa Mound, it's physically</p>	

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<p>1 a mound if you know anything about southwestern 2 topography. So we informally call it the Mound. 3 Q And the Mound informally also refers to the entire 4 campus -- 5 A Campus, right. 6 Q -- if you will? 7 A Correct. 8 Q And you're doing pretty well, but you've got to 9 wait until I finish asking the question before you 10 answer. 11 A I'm sorry. Thank you. 12 Q Only for her benefit. 13 A Thank you. Yeah. 14 MR. INGRISANO: Sarah, could we get 15 a break pretty soon? 16 MS. ZYLSTRA: Sure. We could take 17 one right now. 18 MR. INGRISANO: Sure. Thank you. 19 (Recess) 20 Q Sister Kathleen, before we took our break, we were 21 talking about the agreement between the Dominican 22 Sisters of Sinsinawa and Edgewood High School. 23 Yes? 24 A Yes. 25 Q Okay. I think you answered in terms of what the</p>	<p>1 Q Okay. And when you refer to the head 2 administrator, do you mean the president of 3 Edgewood High School? 4 A Yes. In Edgewood's case, it's the president. 5 Q Anything else you're aware of that the Dominican 6 Sisters of Sinsinawa provides to Edgewood High 7 School as part of its sponsorship? 8 A I don't quite know how to put it, but, again, it's 9 through relationship to know what's going on in 10 the school, to be wanting it to have the values of 11 the Sinsinawa Dominicans, and to speak if there is 12 something that's not right. 13 Q If you know, in order for a high school or any 14 school to be considered a Catholic school, does it 15 need to be sponsored by an Order? 16 MR. INGRISANO: Objection. 17 Foundation, but go ahead. 18 A Primarily, yes. Men's or women's orders, 19 primarily, yes. 20 Q Are there requirements for Edgewood High School 21 that it has to meet in order to be sponsored by 22 the Dominican Sisters? 23 A I'm sorry. Say that question again. 24 Q It's a bad question. Let me back up. 25 I sort of asked you as part of the agreement</p>
Page 38	Page 40
<p>1 Dominican Sisters provides to Edgewood High 2 School. You referred to presence and guidance. 3 I was unclear whether there were other things that 4 the Dominican Sisters provides to Edgewood High 5 School other than what you've already testified 6 to. 7 A When a new head administrator is hired, the 8 sisters are like the ultimate approval of that 9 person. The person has already probably been 10 vetted and, you know, interviewed by a number of 11 people, but ultimately the sisters have that 12 authority and responsibility. 13 And the sisters, that same group of sisters 14 ultimately approves the annual budget of the 15 school. And if there was to be a capital 16 campaign, they would have the ultimate approval 17 of that. 18 Q And, I'm sorry, did you finish your answer? 19 A Yes. Sorry. 20 Q Okay. 21 A Period. Yeah. 22 Q And the sisters who do the approvals that you just 23 referred to, is that the general council or is 24 that a different entity? 25 A It's the general council.</p>	<p>1 what the sisters provided to Edgewood High School. 2 I'm trying to do the reverse and find out what 3 does Edgewood High School need to do or provide as 4 part of the sponsorship relationship with the 5 Dominican Sisters? 6 A Again, it would be, you know, keeping in 7 communication with whatever sister is the primary 8 contact and it's providing documents probably 9 quarterly in a timely way to the sisters and the 10 audit report, the budget report, the proposed 11 budget, the final budget. Yeah. 12 Could I just interject that I want to be sure 13 we get this on the record, that I'm here as a 14 Dominican Sister who spent some time at Edgewood 15 High School. I'm not here as representing the 16 congregation. 17 Q Understood. 18 A You know, I'm not here -- I'm no longer on 19 council, so I'm here as Kathleen Phelan who is 20 a Dominican Sister who spent many years at 21 Edgewood High School. 22 Q Understood. You mentioned a primary contact. 23 Do you know who the primary sister, Dominican 24 Sister, is that is the contact for Edgewood High 25 School currently?</p>

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<p>1 A I believe it's Sister Colleen Settles. 2 Q And for the court reporter's sake, could you spell 3 Settles? 4 A S-e-t-t-l-e-s. 5 Q And is it Colleen with a C? 6 A Yes. 7 Q Okay. You mentioned that they would provide 8 quarterly reports or documents. Can you describe 9 what's in those quarterly reports or documents? 10 MR. INGRISANO: Objection. 11 Foundation. Go ahead. 12 A I should state that this was true when I was on 13 council. I don't know exactly what they do now. 14 But if there was still like quarterly 15 reports, they would talk about what's the 16 highlight of the school in that time period, 17 what's the enrollment, you know, if they're 18 having a special fund, what's going on in the 19 fund. So kind of like a concise newsletter. 20 Q And just because there was an objection, these are 21 quarterly reports that you saw when you were on 22 the council; correct? 23 A Yes. 24 Q Okay. So special fund, enrollment, generally 25 what's going on with the high school. Any other</p>	<p>1 those are two different sisters and they are not 2 on our current one. 3 Q Understood. 4 A Yeah. 5 Q Okay. With respect to up in the top left-hand 6 corner, there is a big box that says, "Welcome. 7 We are Catholic sisters proclaiming the gospel in 8 word and deed." Do you see that? 9 A Yes. 10 Q Do you believe that box, that Welcome box, if you 11 will, is currently on the Dominican Sisters of 12 Sinsinawa's website? 13 A I don't know. 14 Q Okay. Do you believe this is an accurate 15 portrayal of the website at some point in time? 16 A Yes. 17 MR. INGRISANO: Objection. Form. 18 THE WITNESS: Sorry. 19 Q With respect to that Welcome box that says, "We 20 are Catholic sisters proclaiming the gospel in 21 word and deed," do you think that's an accurate 22 portrayal of what the Dominican Sisters of 23 Sinsinawa are? 24 A Yes. 25 Q Okay. And if you turn to the second page of the</p>	
	Page 42	Page 44
<p>1 topics that were typically or routinely part of 2 those quarterly reports when you had viewed them? 3 A No. 4 Q Sister Kathleen, I'm showing you what was marked 5 as Exhibit 49 from another deposition. I believe 6 you indicated earlier this might have been a 7 document that you reviewed within the last few 8 days; is that fair? 9 A Yes. 10 Q Okay. At the bottom of the document, it has a 11 website address of www.Sinsinawa.org. Do you 12 see that? 13 A Yes. 14 Q Do you recognize that as the web address for the 15 Dominican Sisters of Sinsinawa? 16 A Correct. 17 Q Okay. And do you recognize the first page of 18 Exhibit 49 as the home page for the Dominican 19 Sisters of Sinsinawa? 20 A Yes, with adaptations. 21 Q And what do you mean by that? 22 A Well, I mean that things change. It is the home 23 page, but it gets updated. 24 Q Fair enough. 25 A Like the two sisters who are down at the bottom,</p>	<p>1 document, there is a heading that says Our 2 Mission. Do you see that? 3 A Yes. 4 Q Okay. And it says, "We are Catholic sisters 5 proclaiming the gospel through preaching and 6 teaching to help build a holy and just church and 7 society." Do you see that? 8 A Yes, ma'am. 9 Q Do you believe that's an accurate portrayal of the 10 Dominican Sisters of Sinsinawa's mission? 11 A Yes. 12 Q Okay. What does proclaiming the gospel mean to 13 you? 14 A Could I have a break for a minute? 15 MR. INGRISANO: No. You've got to 16 answer. 17 A I'm sorry. It's the middle of a question. I 18 don't understand the question in relation to what 19 we're doing here. 20 Q And I completely appreciate that, Sister. I will 21 probably ask a number of questions that may not 22 make sense as to why I'm asking the question. If 23 you can do your best just to answer it, that would 24 be appreciated. 25 A Okay. I think knowing that the gospels are the</p>	

1 basis of the Bible, the sacred teaching of the 2 Bible, that we try to live out those teachings in 3 our everyday lives. Period. 4 Q Okay. I just wanted to make sure that you were 5 done with your answer. 6 A Yeah. Sorry. 7 Q The word gospel literally means good news; 8 correct? 9 A Yes. 10 Q And to proclaim the gospel is to state publicly 11 God's great deeds and the acts of salvation that 12 God, through his son, Jesus, has done for us. 13 Is that fair? 14 A Yes. 15 Q Okay. And I'm sorry these pages aren't numbered, 16 but I want to go to page 13, which I will turn to 17 that page. It has About Us, Our Mission, and a 18 picture of five women. If you could find that 19 page in the document. 20 A Could you find that page? Sorry. 21 Q That's all right. If you want, we can talk for a 22 second about that before we go to my page. 23 On page 11 of the document, at the top it 24 says Sinsinawa Mound and it's got a picture of the 25 campus; is that right?	Page 45 1 that? 2 A Yes. 3 Q And it continues, "We believe that at the heart of 4 ministry is relationship. Today more than 300 5 Sinsinawa Dominican Sisters in the United States 6 and abroad participate in the mission shared by 7 all Dominicans, to proclaim the gospel in word and 8 deed." Is that correct? 9 A Yes. 10 Q Do you think that's a fair characterization of 11 what the Dominican Sisters of Sinsinawa are? 12 A Yes. 13 Q And then underneath that there is a statement of 14 a mission, and it says, "As Sinsinawa Dominican 15 women, we are called to proclaim the gospel 16 through the ministry of preaching and teaching in 17 order to participate in the building of a holy and 18 just church and society." Correct? 19 A Yes. 20 Q And underneath Mission there is a Vision. Do you 21 see that? 22 A Yes. 23 Q And it says, "In a world graced by the holy 24 spirit, yet wounded by divisions, exploitation, 25 and oppression, we are impelled by God's tender
Page 46 1 A Right. 2 Q And you were pointing it out to me because it's a 3 very large campus; right? 4 A Exactly. 5 Q Yes. 6 MR. INGRISANO: Is this the page, 7 Counsel? 8 MS. ZYLSTRA: Thank you. Yes. 9 MR. INGRISANO: So turn to this 10 page in your exhibit. 11 THE WITNESS: Okay. 12 MR. INGRISANO: All right. 13 Q Okay. On that page there is a picture of five 14 women; correct? 15 A Yes. 16 Q And the caption of the picture refers to the 17 leadership council of the Dominicans of Sinsinawa. 18 Do you see that? 19 A Yes. 20 Q Okay. Is that the same as what you referred to as 21 the general council? 22 A Yes. 23 Q Okay. And under that picture, it describes, 24 "The Sinsinawa Dominican Sisters are dedicated to 25 preaching and teaching the gospel." Do you see	Page 46 Page 48 1 mercy to commit ourselves, in partnership with 2 others, to seek and foster right relationships 3 among all God's people and with Earth that 4 sustains us." Is that correct? 5 A Yes. 6 Q Okay. Are you aware of that vision of the 7 Dominican Sisters of Sinsinawa changing at all 8 over time since you've been a member? 9 MR. INGRISANO: Objection. Form, 10 vague. Go ahead. 11 A Yeah. There might be some modifications, but the 12 mission and vision have remained the same. 13 Q Okay. Then underneath that there is a Direction 14 and it has the years 2016 to 2023. Do you see 15 that? 16 A Yes. 17 Q Do you have any understanding of what is meant by 18 direction? As opposed to mission and vision, 19 what's the direction? 20 MR. INGRISANO: Objection. 21 Foundation. Go ahead. 22 A As I said, we have what's called a Chapter every 23 five years where all the sisters come as 24 delegates, and as we do our review of what we said 25 we would do last time and what we want to look to

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<p>1 in the future, like we have some major changes 2 coming in our lives. Then we set the direction 3 for the council, you know, all together we set the 4 direction for the council, for the leadership, for 5 the next seven years.</p> <p>6 Q Is the direction the actions or activities that 7 you -- or that the general council wants the 8 organization to take in order to fulfill the 9 mission and vision?</p> <p>10 MR. INGRISANO: Objection. Form. 11 Foundation.</p> <p>12 A Could you say that again, please?</p> <p>13 Q Sure. Well, based on the objection, let me start 14 with you were on the leadership council, the 15 general council; correct?</p> <p>16 A Yes.</p> <p>17 Q While you were on the leadership or general 18 council, you had opportunities to decide and 19 create the direction for the organization; 20 correct?</p> <p>21 A The Chapter sets up the direction. Then our role 22 as leadership was to facilitate that direction --</p> <p>23 Q Thank you.</p> <p>24 A -- as best we could.</p> <p>25 Q Thank you. That's a good clarification.</p>	<p>1 Q Okay. Let's talk about a couple of the ones that 2 follow and come back to that one.</p> <p>3 The second bullet is, "We call ourselves to 4 respond to the needs of immigrants and refugees 5 and to seek ways to relieve suffering."</p> <p>6 Do you know whether there is -- that relates 7 to anything in particular in the world that caused 8 that to be a direction?</p> <p>9 MR. INGRISANO: Objection. Form, 10 vague.</p> <p>11 A I would say in the last couple of years we've had 12 numbers of sisters who have gone down to the 13 border to be a visible presence to help people as 14 they come across, in conjunction with Catholic 15 Charities.</p> <p>16 Q And by the border, you're referring to Mexico?</p> <p>17 A Sorry. Yes.</p> <p>18 Q Just to make sure.</p> <p>19 A Yes. Thank you. You're right.</p> <p>20 Q And are you aware of, just based upon your 21 membership in the Dominican Sisters, steps that 22 are being taken by the organization -- or by the 23 congregation as it relates to immigrants and 24 refugees?</p> <p>25 MR. INGRISANO: Objection. Form.</p>
Page 50	Page 52
<p>1 So you're familiar at least with the process 2 or the role of the leadership council as it 3 relates to the direction that's set by the 4 organization; correct?</p> <p>5 A Yes.</p> <p>6 Q Okay.</p> <p>7 A Congregation.</p> <p>8 Q Congregation. Thank you. In terms of 9 implementing the direction, these are more 10 concrete items that the congregation wants 11 leadership to focus on in order to meet the 12 Dominican Sisters of Sinsinawa's mission?</p> <p>13 A Correct.</p> <p>14 Q Fair?</p> <p>15 A Fair.</p> <p>16 Q Okay. And with respect to the direction for 2016 17 to 2023, the first bullet says, "We hear the cries 18 for mercy and compassion moving us to a radical 19 gospel response of unconditional love." Did I 20 read that correctly?</p> <p>21 A Yes.</p> <p>22 Q Do you have any understanding as to what that is 23 referring to specifically?</p> <p>24 A In some sense I think it's an encompassing 25 statement for some of the ones that follow.</p>	<p>1 A I mean, I thought I just gave one example of that. 2 Of working with immigrants?</p> <p>3 Q Right. I didn't know if you knew any specifics 4 regarding what the congregation is doing.</p> <p>5 MR. INGRISANO: Counsel, where are 6 we going with this? This is totally 7 unrelated to this lawsuit.</p> <p>8 MS. ZYLSTRA: I am trying to get an 9 understanding of -- Counsel, I don't believe 10 it's unrelated to this lawsuit.</p> <p>11 MR. INGRISANO: Well, no. Here's 12 what's happened is in the last two 13 depositions of Edgewood representatives, you 14 have spent a lot of time on totally 15 irrelevant issues and then at the last hour 16 of the deposition, which have all gone 17 extremely long, is when you ask all the 18 relevant questions.</p> <p>19 We're not going to allow that to happen 20 today to my client who is here today to 21 testify as to a very -- you said it was going 22 to be a three-hour deposition. It's not 23 going to be a three-hour deposition at this 24 point because you're talking about human 25 trafficking and immigration and things like</p>

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<p>1 that.</p> <p>2 Let's get to the heart of the matter or</p> <p>3 we're going to move for a protective order</p> <p>4 because this is now bordering on harassment</p> <p>5 because you can't tell me how this is</p> <p>6 relevant to this case.</p> <p>7 MS. ZYLSTRA: Counsel, if you want</p> <p>8 to move for a protective order, you can move</p> <p>9 for a protective order. I'm exploring the</p> <p>10 religious views of the Dominican Sisters,</p> <p>11 which is highly relevant to this lawsuit.</p> <p>12 MR. INGRISANO: By what? You don't</p> <p>13 even have a complete copy of the website, and</p> <p>14 now, what, you're trying to somehow argue the</p> <p>15 fact they have these priorities for 2016</p> <p>16 through 2023 somehow diminishes their</p> <p>17 commitment to Edgewood High School? That's</p> <p>18 completely -- Is that what you're arguing</p> <p>19 right now, Counsel? I mean, you didn't even</p> <p>20 object to the sincerity of Edgewood's beliefs</p> <p>21 on summary judgment. Are you now questioning</p> <p>22 the sincerity of Edgewood's religious views</p> <p>23 and the sponsorship relationship with these</p> <p>24 people now?</p> <p>25 MS. ZYLSTRA: Counsel, I get to</p>	<p>1 provide content for and you're asking her</p> <p>2 about immigration.</p> <p>3 MS. ZYLSTRA: Counsel, if you move</p> <p>4 for a protective order, we'll be back here to</p> <p>5 finish the deposition on another day.</p> <p>6 MR. INGRISANO: Great. I look</p> <p>7 forward to it. Why don't you ask the</p> <p>8 irrelevant stuff at the end of the deposition</p> <p>9 and get to the relevant stuff now.</p> <p>10 MS. ZYLSTRA: I don't appreciate</p> <p>11 the -- I don't appreciate your making</p> <p>12 comments with regard to me and my abilities</p> <p>13 to be a lawyer and defend my client.</p> <p>14 MR. INGRISANO: I did not make any</p> <p>15 comments about your abilities. I was talking</p> <p>16 about your choice and your decision to harass</p> <p>17 Edgewood's witnesses with lengthy depositions</p> <p>18 covering irrelevant material, wait until they</p> <p>19 get tired at the end of these long days and</p> <p>20 then start to spring all the tough questions</p> <p>21 on them. Get to the heart of the matter,</p> <p>22 Counsel.</p> <p>23 MS. ZYLSTRA: Counsel, I've been</p> <p>24 nothing but polite to this witness.</p> <p>25 MR. INGRISANO: I didn't say you</p>
<p style="text-align: center;">Page 54</p> <p>1 explore with a witness -- first of all, she's</p> <p>2 put in a declaration on summary judgment.</p> <p>3 MR. INGRISANO: Which you haven't</p> <p>4 even talked to her about. So if you want to</p> <p>5 ask her questions about the summary judgment</p> <p>6 declaration, fine.</p> <p>7 MS. ZYLSTRA: Counsel, you don't</p> <p>8 get to decide what I ask about and what I</p> <p>9 don't ask about in a deposition. This goes</p> <p>10 to the religious views of the organization,</p> <p>11 of which Edgewood is a sponsored institution.</p> <p>12 If you want to move for a protective</p> <p>13 order, you can move for a protective order,</p> <p>14 but you don't get to control what I ask.</p> <p>15 MR. INGRISANO: If you don't start</p> <p>16 asking relative questions, we will terminate</p> <p>17 this deposition and move for a protective</p> <p>18 order because you've shown nothing but a</p> <p>19 harassing pattern. We're talking about a</p> <p>20 woman now who is in her -- You're 81 years</p> <p>21 old?</p> <p>22 THE WITNESS: No, 77.</p> <p>23 MR. INGRISANO: 77 years old and</p> <p>24 you're now here on hour number two and you're</p> <p>25 talking about a website that she doesn't</p>	<p style="text-align: center;">Page 56</p> <p>1 were impolite.</p> <p>2 MS. ZYLSTRA: I'm not harassing</p> <p>3 her. I'm doing my best to defend my client</p> <p>4 in the ways that I see fit.</p> <p>5 MR. INGRISANO: Start asking</p> <p>6 relevant questions, Counsel.</p> <p>7 MS. ZYLSTRA: Your view of</p> <p>8 relevance and my view of relevance are</p> <p>9 diverged, that is for sure.</p> <p>10 MR. INGRISANO: That is very clear.</p> <p>11 Q Do you need my question read back?</p> <p>12 A Yes, please.</p> <p>13 MS. ZYLSTRA: Could you read my</p> <p>14 last question back, please?</p> <p>15 (The following was read back:</p> <p>16 "Q. And are you aware of, just</p> <p>17 based upon your membership in</p> <p>18 the Dominican Sisters, steps</p> <p>19 that are being taken by the</p> <p>20 organization -- or by the</p> <p>21 congregation as it relates to</p> <p>22 immigrants and refugees?</p> <p>23 "MR. INGRISANO: Objection.</p> <p>24 Form.</p> <p>25 "A. I mean, I thought I just gave</p>

	Page 57	Page 59
<p>1 one example of that. Of 2 working with immigrants? 3 "Q. Right. I didn't know if you 4 knew any specifics regarding 5 what the congregation is 6 doing.") 7 Q Are you aware of any specific programs? 8 A No. 9 Q Okay. With respect to the second -- or the next 10 bullet point down which asks or which indicates, 11 "We are compelled to risk our comfort and 12 privilege to confront the evil of racism," are you 13 aware of any specifics that are being done by the 14 congregation with respect to that direction? 15 A I would say that's a primary and enduring work 16 and value, that we work to be an anti-racist, 17 multi-cultural congregation. Congregation meaning 18 internally as well as externally. 19 Q Okay. 20 A So it's a value for everything we do. 21 Q And then the next bullet down it says, "We commit 22 ourselves to the urgent summons of" -- and I need 23 your help. 24 A Laudato si'. 25 Q -- "to care for Earth, our home." What does that</p>	<p>1 is approximately 450 acres. Do you see that? 2 A Yes. 3 Q Is that your understanding as to roughly the size 4 of the Mound? 5 A Yes. 6 Q Okay. Are you aware of whether there are any 7 athletic competition fields on the 450 roughly 8 acres of the Mound? 9 A No. 10 Q No, you're not aware, or, no, there aren't any? 11 A No, there aren't any. It's a Motherhouse. 12 Q Do you know how many buildings are part of the 13 Sinsinawa Mound center? 14 A I don't know the number, but you could see from 15 the picture there are quite a few. 16 Q Do you know whether there is any gymnasium in any 17 of the buildings? 18 A No. 19 Q And, I'm sorry, I asked a bad question. No, there 20 aren't any or, no, you don't know? 21 A No, there aren't any gymnasiums. 22 Q Do you agree that a person does not need to 23 have -- to play or have played any competitive 24 sports to live and practice the Catholic faith? 25 A Would you say that again, please?</p>	
<p>1 mean? 2 A Laudato si' is an encyclical of the Pope from 3 about five years ago talking about care of the 4 Earth. You know, universal call, care of the 5 Earth, and encyclical is a study, and so as a 6 congregation we've been -- actually there is a 7 seven-year program on Laudato si', and I'm also on 8 that committee, Laudato si' action plan to help us 9 learn what the Pope was teaching and how we can 10 implement that within ourselves, within our local 11 community and congregation. 12 Q Does that involve protecting the natural resources 13 of our Earth? 14 MR. INGRISANO: Objection. 15 Foundation. 16 A I would say yes as a universal call. 17 Q Okay. With respect to, if we go back a couple 18 pages to the one that you referred to that was the 19 Sinsinawa Mound. And it's got a picture of the 20 campus. And in the third paragraph down that 21 starts, "Although the Sinsinawa Dominican Sisters." 22 A Uh-huh. 23 Q Do you see that paragraph? 24 A Yes. 25 Q That paragraph indicates that the Mound currently</p>	<p>1 mean? 2 A Laudato si' is an encyclical of the Pope from 3 about five years ago talking about care of the 4 Earth. You know, universal call, care of the 5 Earth, and encyclical is a study, and so as a 6 congregation we've been -- actually there is a 7 seven-year program on Laudato si', and I'm also on 8 that committee, Laudato si' action plan to help us 9 learn what the Pope was teaching and how we can 10 implement that within ourselves, within our local 11 community and congregation. 12 Q Does that involve protecting the natural resources 13 of our Earth? 14 MR. INGRISANO: Objection. 15 Foundation. 16 A I would say yes as a universal call. 17 Q Okay. With respect to, if we go back a couple 18 pages to the one that you referred to that was the 19 Sinsinawa Mound. And it's got a picture of the 20 campus. And in the third paragraph down that 21 starts, "Although the Sinsinawa Dominican Sisters." 22 A Uh-huh. 23 Q Do you see that paragraph? 24 A Yes. 25 Q That paragraph indicates that the Mound currently</p>	Page 60

	Page 61	Page 63
<p>1 Q As part of your theological classes or teaching -- 2 and the teachings of those classes, did any of 3 them involve playing competitive sports? 4 A No. 5 Q Okay. Are you aware of any published writings or 6 treatises that identifies playing competitive 7 sports as part of the Dominican Sisters of 8 Sinsinawa's religious beliefs? 9 A No, but we don't use treatises. That's not 10 accurate. 11 Q That's fair. Any published writings, are you 12 aware of any published writings that identifies 13 playing competitive sports as part of the 14 Dominican Sisters of Sinsinawa's religious 15 beliefs? 16 A No. Not in the narrow view that you're portraying. 17 Q Okay. Are you aware of any published writings 18 that identifies playing competitive sports as part 19 of the Catholic faith's religious beliefs? 20 MR. INGRISANO: Objection. Form. 21 Vague as to "part." Go ahead. 22 A I feel like we're repeating questions. No. 23 Q Thank you. Okay. We're going to turn back to 24 the Exhibit 116, which is your declaration. 25 With respect to Exhibit 116, the last page</p>	<p>1 the City of Madison? 2 A Yes, I did. 3 Q Okay. What do you understand that lawsuit to be 4 about? 5 A Again, I don't stand in the middle of this. 6 You know, I'm not at Edgewood High School. So 7 from my vantage point, I believe it's the 8 relationship between the City and Edgewood High 9 School and Edgewood High School's right to have 10 lights on the football field as a high school 11 within Madison. 12 Q Okay. Do you have an understanding as to why 13 it's important that Edgewood have lights on its 14 football field? 15 A Yes. 16 Q And what's your understanding? 17 A I would say as a school, you do all you can to 18 create community and to invite people into your 19 school, into your campus, and a way of doing that 20 in this case is the school being able to use its 21 facility as a football field or a soccer field or 22 whatever to its fullest extent. 23 Q Any other reason that you think it's important for 24 Edgewood to have lights on its field other than 25 what you just described?</p>	
	Page 62	Page 64
<p>1 has a signature, and that's your signature; 2 correct? 3 A Yes. 4 Q Okay. And following your name there is the 5 initials OP. 6 A Correct. 7 Q Can you tell me what OP stands for? 8 A It stands for Order of Preachers. 9 Q Okay. And what's that in reference to? 10 A Being a formal part of our Dominican identity, 11 that we are an Order of Preachers and Teachers. 12 Q Does anyone who takes vows -- Strike that. That 13 was going to be a bad question. 14 If you have taken vows, are you automatically 15 then an OP? 16 A If you've taken vows as a Dominican Sister 17 Dominican, yes, then you have the right to have 18 OP behind your name. 19 Q Okay. What did you understand the purpose was of 20 the declaration in Exhibit 116 that you signed? 21 A I think to state who I am and my role in reference 22 to Edgewood High School and the role of athletics 23 from my personal vantage point. 24 Q Did you understand that this declaration was for 25 the litigation between Edgewood High School and</p>	<p>1 A Well, I think I stated, I mean, sports, athletics 2 is one part of a school and one part of our desire 3 to know that students are experiencing mind, body, 4 soul, creating, and developing the whole person in 5 their high school years and that Edgewood is very 6 alumni centered -- I shouldn't probably say 7 centered, but alumni aware, and I think being able 8 to use the field as desired is also an opportunity 9 for alumni to return, for parents to be able to 10 come to campus. 11 Q Okay. 12 A As well as a centering place for students. 13 Q Okay. Do you have any understanding as to why the 14 city has not allowed Edgewood to have the lights 15 on the field? 16 A I'd say I know from long history that the, what is 17 it, the Edgewood-Dudgeon Neighborhood Association 18 has been a strong one. I might not have that name 19 totally correct. 20 Q Dudgeon-Monroe? 21 A Dudgeon-Monroe, okay. Yeah, sorry. It has always 22 been a strong entity, and, you know, planning 23 commission sessions at the city are challenging. 24 To Edgewood. Sorry. Challenging to Edgewood. 25 Q So my question was do you have an understanding as</p>	

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<p>1 to why the city has not allowed, and you spoke 2 about the Dudgeon-Monroe Neighborhood Association 3 or the neighborhood. Is it your understanding 4 that the city has not allowed the lights because 5 the neighbors have objected or are opposed to 6 those lights?</p> <p>7 A Yes. I mean, I think that's a primary opposition 8 that I'm aware of.</p> <p>9 Q Are you aware of anything else or do you have any 10 other belief as to why the city has not allowed 11 the lights?</p> <p>12 A I guess no.</p> <p>13 Q Okay. You are aware that the Dominican Sisters of 14 Sinsinawa sponsors not only Edgewood High School 15 but Edgewood College and Edgewood's grade --</p> <p>16 A Campus School.</p> <p>17 Q Edgewood's Campus School; correct?</p> <p>18 A Yes. Yes.</p> <p>19 Q And those -- Strike that.</p> <p>20 With respect to your description of the 21 sponsorship of Edgewood College -- I'm sorry. 22 Strike that. Let me start again.</p> <p>23 With respect to the questions that I asked 24 you on sponsorship as between the Dominican 25 Sisters of Sinsinawa and Edgewood High School,</p>	<p>1 campus?</p> <p>2 A A requirement?</p> <p>3 Q Correct.</p> <p>4 A No.</p> <p>5 Q Okay. You indicated that you're on the board of 6 Edgewood College currently; correct?</p> <p>7 A Correct.</p> <p>8 Q Do you know where Edgewood College plays its 9 athletic games that are night games?</p> <p>10 A Outdoor games?</p> <p>11 Q Yes. That's a fair clarification. For outdoor 12 field games, do you know where Edgewood College 13 plays those games?</p> <p>14 A No, I don't.</p> <p>15 Q Okay. Have you ever attended an Edgewood College 16 nighttime game that is played on an outdoor field?</p> <p>17 A No.</p> <p>18 Q Okay. Are you aware from your role on the board 19 that Edgewood College is potentially building a 20 facility in Fitchburg, Wisconsin, for many of its 21 athletic programs?</p> <p>22 A Yes.</p> <p>23 Q And the facility in Fitchburg would have outdoor 24 fields for Edgewood College to play some of its 25 night games; correct?</p>
Page 66	Page 68
<p>1 would your answers generally be the same with 2 respect to the college and the campus school?</p> <p>3 A Yes.</p> <p>4 Q Okay. So sponsorship of the campus school and 5 sponsorship of the college would work in the same 6 fashion as sponsorship of the high school; correct?</p> <p>7 A Correct.</p> <p>8 Q Okay. And same --</p> <p>9 A They are three separate corporations.</p> <p>10 Q Yes. But same general reporting requirements and 11 same general what the sisters provide to those 12 schools?</p> <p>13 A Yes.</p> <p>14 Q Okay. And the religious teachings and the 15 religious beliefs of the Dominican Sisters of 16 Sinsinawa would be the same for the college and 17 for the campus school as they are for the 18 high school; correct?</p> <p>19 A Yes.</p> <p>20 Q Okay. And I think, as you testified today, the 21 Dominican Sisters of Sinsinawa sponsor other 22 schools besides the three Edgewood schools; correct?</p> <p>23 A Correct.</p> <p>24 Q Is there any requirement for any sponsored 25 institution to have athletic fields at their</p>	<p>1 MR. INGRISANO: Objection. Form. 2 Foundation.</p> <p>3 A I have to think about that. State that again. 4 I'm sorry.</p> <p>5 MS. ZYLSTRA: And I'm sorry. Could 6 you read the question back? 7 (Question read)</p> <p>8 A I guess I'm not sure if they're going to have 9 night games there.</p> <p>10 Q Okay. Are you aware of whether the plans for 11 building that facility in Fitchburg will at least 12 have outdoor stadium lights for those fields?</p> <p>13 MR. INGRISANO: Objection. Form, 14 foundation.</p> <p>15 A Again, I'm not sure of night games.</p> <p>16 Q Separate from the night games, are you aware of 17 whether the outdoor fields, whether the intention 18 is to have stadium lights or outdoor lights for 19 the field?</p> <p>20 A I'm trying to remember the reports I've read about 21 that. I believe yes.</p> <p>22 Q Okay. Does Edgewood College have an outdoor field 23 on the 55-acre campus of Edgewood?</p> <p>24 A No. Not an outdoor field that I'm aware of.</p> <p>25 Q Okay.</p>

1 A I think, could I also note that the college has 2 been very closed down because of COVID, so, 3 you know, trying to envision the last two years 4 and what they've been doing has been restricted. 5 Q Fair. To your knowledge and based on your role 6 with the Edgewood College board, are you aware of 7 the Dominican Sisters of Sinsinawa suggesting or 8 encouraging Edgewood College to not build a 9 facility in Fitchburg for its athletic program but 10 to build it on site, on the 55-acre campus? 11 MR. INGRISANO: Objection. Form. 12 A Not to my knowledge. 13 Q Okay. Do you, sitting here today, have any 14 concerns or reservations or similar kind of 15 negative thoughts or feelings with regard to 16 Edgewood College building athletic fields and its 17 facility off site in Fitchburg versus on site at 18 the campus? 19 MR. INGRISANO: Objection. Form. 20 Go ahead. 21 Q Does that cause you any concerns at all? 22 A Not concerns. 23 Q Okay. Does the college potentially building a 24 facility off site, does that implicate at all the 25 college's adherence to the Dominican Sisters of	Page 69 1 have an athletic program at all? 2 A State the first part of the question, please. 3 Q Do you believe that Edgewood High School could 4 maintain its religious commitment to the Dominican 5 Sisters of Sinsinawa even if it didn't have an 6 athletic program at all? 7 A No. 8 Q Okay. So why do you believe that an athletic 9 program is necessary for Edgewood to maintain its 10 religious commitment to the Dominican Sisters? 11 A Because, again, I think it's educating the whole 12 student. We want them to have -- he or she to 13 have opportunities in athletics and the best 14 academics and music and the arts and companionship 15 and sportsmanship. I mean, all of those values of 16 service, compassion, and I think if athletics were 17 missing, that would be a huge hole in the program. 18 Q Okay. Do you know whether all of the schools that 19 the Dominican Sisters of Sinsinawa sponsor have 20 athletic programs? 21 A Yes, they do. 22 Q Okay. The Dominican Sisters of Sinsinawa sponsor 23 other institutions besides schools; correct? 24 A No. 25 Q I thought there was an institution I think that
Page 70 1 Sinsinawa's religious beliefs? 2 A No. 3 Q Okay. A similar question but with respect to the 4 Catholic faith. Does the college building a 5 facility off site to hold their games implicate at 6 all the college's living the Catholic faith? 7 A No. I think it's just the opposite. 8 Q And why do you think it's just the opposite? 9 A Because I think it's important for students to be 10 able to participate in athletics. 11 Q Okay. 12 A And a college is not a high school. 13 Q Fair enough. 14 A A high school is not a college. 15 Q But in terms of participating in those sports, 16 whether they do that at the campus or off site, 17 that's not -- Strike that. 18 It doesn't matter whether they do it on site 19 or off site as long as they're participating in 20 some sports in your mind; is that fair? 21 MR. INGRISANO: Objection. Form. 22 A Yes. 23 Q Okay. Do you agree that Edgewood High School 24 could maintain its religious commitment to the 25 Dominican Sisters of Sinsinawa even if it didn't	Page 70 Page 72 1 was called like Transitions. Are you familiar at 2 all with that? 3 A Sorry. Sorry. Yeah. Yes. Not immediately. 4 Some years ago the Spokane Dominicans became a 5 part of the Sinsinawa Dominicans legally, morally, 6 ethically, and they had a ministry, they had 7 hospitals. They were very small. They had 8 hospitals and this institution called Transitions. 9 So when they became a part of us, we enveloped 10 that institution. 11 It's a social service agency, to my 12 knowledge, for women in Spokane. But let me just 13 say we don't sponsor it in the same sense we do 14 the schools. 15 Q And how is it different, the sponsorship? 16 A Again, I can't speak to that totally today, but 17 I'd say it's probably not as tight of 18 communication and I think we probably make an 19 annual donation to them for fundraisers or 20 something, but it's just -- you know, we're 21 interested in what they're doing and in their 22 ministry. 23 Q My understanding, and correct me if I'm wrong, is 24 that the program provides things like childcare 25 and housing and job training for women and

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<p>1 children; correct?</p> <p>2 A Correct.</p> <p>3 Q Okay.</p> <p>4 A In Spokane.</p> <p>5 Q Do you know whether there is any athletics</p> <p>6 involved at all with the Transitions program?</p> <p>7 A Not to my knowledge.</p> <p>8 Q Okay. And even though the program is providing</p> <p>9 some childcare and some services for children, the</p> <p>10 Dominican Sisters of Sinsinawa are not including</p> <p>11 athletics as part of the training or services it's</p> <p>12 providing to children in that program; correct?</p> <p>13 MR. INGRISANO: Objection.</p> <p>14 Foundation. Go ahead.</p> <p>15 Q If you know.</p> <p>16 A I would say correct, but it's a very -- it's not</p> <p>17 a school, you know, and it's different locations</p> <p>18 around Spokane, like storefront kind of locations,</p> <p>19 so it's not an institution.</p> <p>20 Q All right. Okay. But I would presume that with</p> <p>21 respect to the religious beliefs that are being</p> <p>22 provided in connection with the sponsorship of</p> <p>23 Transitions, the religious beliefs are the same;</p> <p>24 fair?</p> <p>25 A Yes.</p>	<p>1 students within the school or students who are in</p> <p>2 need, you know, and sometimes that's supporting by</p> <p>3 prayer, sometimes it's supporting by helping with</p> <p>4 a building, you know, or helping with people who</p> <p>5 are ill.</p> <p>6 Q With respect to the value of community, is part of</p> <p>7 that being a good neighbor?</p> <p>8 A Sure. Yes.</p> <p>9 Q And in terms of being a good neighbor, would you</p> <p>10 agree that under the Dominican Sisters of</p> <p>11 Sinsinawa's values, that Edgewood High School</p> <p>12 should take into account concerns of residents and</p> <p>13 surrounding neighbors to the campus, of their</p> <p>14 views of Edgewood's activities?</p> <p>15 MR. INGRISANO: Objection. Form.</p> <p>16 A I would say yes, and I would say that's a two-way</p> <p>17 street.</p> <p>18 Q And why do you say it's a two-way street?</p> <p>19 A Well, I'm aware, for many years when there have</p> <p>20 been big events on campus that students have --</p> <p>21 with faculty have made some kind of a notification</p> <p>22 and delivered that to houses, you know, in the</p> <p>23 neighborhood to tell them, you know, when this</p> <p>24 event is going to occur and what the timeframe</p> <p>25 would be and thank you for being a good neighbor</p>
<p>1 Q Okay.</p> <p>2 A Within the context of a social service agency.</p> <p>3 Q Fair. Now, I have seen reference to five values</p> <p>4 of the Dominican Sisters of Sinsinawa: truth,</p> <p>5 justice, compassion, community, and partnership.</p> <p>6 Is that correct?</p> <p>7 A Yes.</p> <p>8 Q And those are five values that the Dominican</p> <p>9 Sisters of Sinsinawa include as part of their</p> <p>10 description of their congregation?</p> <p>11 A Correct.</p> <p>12 Q Okay. With respect to the value that's referred</p> <p>13 to as community, can you describe for me what that</p> <p>14 means?</p> <p>15 A I think I would want to say that those values are</p> <p>16 held by each of our schools and are usually</p> <p>17 publicly displayed and people take a different</p> <p>18 value perhaps to be central to that year, to the</p> <p>19 theme of the school for that year, and community</p> <p>20 might be how do we espouse community, a building</p> <p>21 of community within the school. This is not just</p> <p>22 come to the school. This is be a part of</p> <p>23 Edgewood, be a part of what that means in terms</p> <p>24 of service to one another and service to the</p> <p>25 community, sportsmanship, being supportive of</p>	<p>1 and we'll be back to clean up the, you know,</p> <p>2 neighborhood if we need to do that, your sidewalk.</p> <p>3 So I think that's one way.</p> <p>4 Oppositely, we've been there since 1881.</p> <p>5 Q And why do you reference that? Can you explain</p> <p>6 that comment?</p> <p>7 A I just think we've been a part of that community</p> <p>8 and we've been there on that campus as an</p> <p>9 educational institution and then as three</p> <p>10 educational institutions for a very long time.</p> <p>11 Q And how does that relate to community from your</p> <p>12 point of view?</p> <p>13 A That you try to build community and communication</p> <p>14 and positivity with the members of the community.</p> <p>15 Q Does part of that building of community require</p> <p>16 that there be trust between the neighbors and</p> <p>17 Edgewood High School?</p> <p>18 A I would agree with that I think. Trust is a</p> <p>19 foundation of any relationship.</p> <p>20 Q Okay. And would you agree that for there to be</p> <p>21 trust between two entities, like the neighbors and</p> <p>22 Edgewood High School, that the statements that</p> <p>23 each make to each other need to be truthful?</p> <p>24 A Yes.</p> <p>25 Q Okay. To the extent that statements made by,</p>

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<p>1 for example, Edgewood High School to the residents 2 that are not truthful would not fulfill the 3 Dominican Sisters of Sinsinawa's values of truth 4 or community; correct?</p> <p>5 MR. INGRISANO: Objection. Form. 6 It assumes facts not in evidence.</p> <p>7 A I'm guessing -- it seems like it's implying that 8 one party has made untruthful statements. I kind 9 of feel like that's a trick question.</p> <p>10 Q Not meant to be.</p> <p>11 MR. INGRISANO: Sure it is. 12 Go ahead.</p> <p>13 Q But you would agree that if one, whether it be 14 Edgewood or whether it be the neighbors, if one 15 side is making untruthful statements, that would 16 not fulfill the Dominican Sisters of Sinsinawa 17 values of community and truth; correct?</p> <p>18 A Yes, if either party did that.</p> <p>19 Q Correct. Okay. Are you aware that the residents 20 near Edgewood's campus voiced strong opposition to 21 the city because of the impact that the lights on 22 the athletic field would have on their lives and 23 their families?</p> <p>24 MR. INGRISANO: Objection. Form 25 and foundation.</p>	<p>1 anything of the like? 2 MR. INGRISANO: Objection. Form, 3 vague.</p> <p>4 A No.</p> <p>5 Q Okay. Prior to -- Strike that.</p> <p>6 Are you aware of a period of time in which 7 Edgewood High School played its night football 8 games on Middleton's field?</p> <p>9 A I don't know about Middleton.</p> <p>10 Q Okay. Have you ever attended an Edgewood High 11 School night football game?</p> <p>12 A Yes.</p> <p>13 Q Okay. Can you tell me the last time you attended 14 one roughly?</p> <p>15 A Probably 1989.</p> <p>16 Q Okay.</p> <p>17 A When I was principal.</p> <p>18 Q Do you recall at all when you were principal where 19 the Edgewood High School football team played its 20 night games?</p> <p>21 A At Memorial High School or at Breese Stevens 22 stadium.</p> <p>23 Q And as principal did you routinely go to those 24 games or only once in a blue moon?</p> <p>25 A No. I routinely went to them, as many faculty</p>
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<p>1 A Yes, I'm aware of those, some of those objections. 2 I mean, I've seen the signs.</p> <p>3 Q Okay. Do you have any reason to believe that the 4 concerns and objections of neighbors were not 5 genuine?</p> <p>6 MR. INGRISANO: Objection. Form, 7 foundation. Vague as to "genuine."</p> <p>8 A Yeah. I -- yeah.</p> <p>9 Q Well, and I don't know if you do or you don't, 10 Sister Kathleen. So I'm just trying to make sure 11 that I don't hear from you that you believe that 12 the community's objections to Edgewood were 13 trumped up or fabricated or not true or they were 14 lying or anything like that.</p> <p>15 So that's kind of where I'm going with the 16 question. So I'll try and rephrase it.</p> <p>17 A Thank you.</p> <p>18 Q You indicated that you at least were aware that 19 the city residents had voiced some strong 20 opposition to Edgewood's getting its lights on its 21 football field?</p> <p>22 A Yes.</p> <p>23 Q Do you have any knowledge as you sit here today 24 that any of the statements or concerns by the 25 neighbors were false, not true, not genuine, or</p>	<p>1 did.</p> <p>2 Q When you attended those games, did a lot of 3 Edgewood students also attend those games?</p> <p>4 MR. INGRISANO: Objection. Form. 5 Vague as to "a lot."</p> <p>6 A I would say there was a good number of students 7 and parents and a few alums. I'm trying to 8 remember the composition. Faculty certainly.</p> <p>9 Q Okay. Do you believe that during your time as 10 part of the faculty and as principal of Edgewood 11 High School that the high school fully fulfilled 12 its promises and responsibilities to the Dominican 13 Sisters of Sinsinawa as a sponsored institution?</p> <p>14 A Yes.</p> <p>15 Q Are you aware of any change in religious beliefs 16 between the time period that you were the 17 principal and on the faculty of Edgewood High 18 School and Edgewood High School currently?</p> <p>19 A Any change in religious beliefs?</p> <p>20 Q Correct.</p> <p>21 A No. I would say growing within religious belief.</p> <p>22 Q But the same core beliefs would apply?</p> <p>23 A Yes. Yes.</p> <p>24 Q And do you believe that during the time that you 25 were on the faculty and you were the principal of</p>

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<p>1 Edgewood High School that the institution was able 2 to fully practice its Catholic faith?</p> <p>3 A I think I'd need to know more about what you mean 4 "practice its Catholic faith."</p> <p>5 Q Well, do you believe that Edgewood as an 6 institution during that time period was able to 7 fulfill the Dominican Sisters of Sinsinawa's 8 mission to preach the gospel in word and deed?</p> <p>9 A Yes.</p> <p>10 Q Okay. While you were on the faculty or principal 11 at Edgewood, did you have any interaction with the 12 City of Madison's building and inspection 13 department, their zoning administrator, or any 14 kind of similar building or zoning functions 15 within the city?</p> <p>16 A No.</p> <p>17 Q Okay. During the time when you were on the 18 faculty and you were principal of Edgewood High 19 School, did you have any involvement with City of 20 Madison government officials, like the mayor or 21 the common council or the plan commission?</p> <p>22 A No to the planning commission. The mayor we 23 sometimes invited for, you know, civic engagement 24 events, or the common council members personally 25 to come during a political -- you know, to speak</p>	<p>1 Q Okay. And --</p> <p>2 A But not the other one.</p> <p>3 Q Okay. And with respect to the 1995 campus master 4 plan, can you tell me what role or roles, if any, 5 you had in that?</p> <p>6 A I would say just in the initial stages of that.</p> <p>7 I was still principal and Dr. Ebbin was new to the 8 campus as college president and was beginning to 9 dream of how we could -- you know, he had a new 10 vision looking at all three of the schools.</p> <p>11 So I was just there at the very beginning, 12 you know, let's have a dream, and it was really 13 driven at that point by Dr. Ebbin. And then I 14 left. So I was only in the core stages.</p> <p>15 Q Did you have any connection after you left 16 Edgewood?</p> <p>17 A With?</p> <p>18 Q With the 1995 campus master plan?</p> <p>19 A No.</p> <p>20 Q Okay. With respect to the initial stages that 21 you were involved in, did it involve meetings at 22 all with the neighborhood associations or the 23 community residents?</p> <p>24 A Not my -- no. Not my piece of it.</p> <p>25 Q Okay. Separate from your piece of it, do you know</p>	
	Page 82	Page 84
<p>1 at a political class, you know, state and local 2 government kinds of things. But nothing with the 3 planning commission.</p> <p>4 Q Did you -- it doesn't sound like it, but to be 5 clear, with respect to any engagement you had of 6 the mayor or the common council, were any of your 7 interactions with them with regard to an issue 8 between Edgewood High School and the city?</p> <p>9 A No.</p> <p>10 Q Okay. Did you ever see, in all your time, any 11 instance in which the City of Madison engaged in 12 any kind of religious discrimination against 13 Edgewood?</p> <p>14 A No.</p> <p>15 Q Are you aware of Edgewood's master plan?</p> <p>16 MR. INGRISANO: Objection. Form.</p> <p>17 Vague as to time. Go ahead.</p> <p>18 A I was aware of the first one.</p> <p>19 Q Okay. So my understanding, at least, is that 20 there was an Edgewood Campus Master Plan in 1995 21 and there was a second one in 2014. Just based on 22 your statement, are you saying that you were aware 23 of the 1995 master plan?</p> <p>24 A Yes. I was aware of the beginning of that, and it 25 took several years to create.</p>	<p>1 whether that was going on while you were there?</p> <p>2 A I don't know. I don't know.</p> <p>3 MR. INGRISANO: You've got to let 4 her finish her questions. Okay?</p> <p>5 THE WITNESS: Sorry.</p> <p>6 MR. INGRISANO: That's okay.</p> <p>7 THE WITNESS: Thank you. Thank 8 you. Sorry.</p> <p>9 Q With respect to the vision, as you're describing 10 it, for the 1995 campus master plan, do you know 11 whether it included anything related to Edgewood 12 High School's field, athletic field?</p> <p>13 A No, I don't.</p> <p>14 Q Okay. Was there any discussion, thoughts, or 15 efforts during the time that you were on the 16 faculty or as principal of Edgewood High School 17 to add a stadium to the athletic field at all?</p> <p>18 A You know, I think we had the -- the junior varsity 19 games were out on that field and it was a pretty 20 rough field, so there was always a dream of, 21 wouldn't it be great if we had our own stadium.</p> <p>22 I mean, you know, as we dreamed about having 23 a new science building or an art, you know, a new 24 performing arts center. You have those dreams.</p> <p>25 So it was certainly like wouldn't this be</p>	

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<p>1 great if we didn't have to bus kids all over the 2 place to get to a game or figure out how to get to 3 a game.</p> <p>4 Q Separate from being a dream, to your knowledge 5 were there any efforts to do that, to build a 6 stadium or to improve the athletic field while you 7 were at Edgewood?</p> <p>8 A No.</p> <p>9 Q Okay. And for the times that you were at 10 Edgewood, Edgewood did not have a lighted athletic 11 field, correct, on campus?</p> <p>12 A Correct.</p> <p>13 Q Okay. Are you aware that Edgewood High School 14 redid its track and field in 2015?</p> <p>15 A Am I aware? Yes.</p> <p>16 Q Okay. And were you involved at all in any 17 attempts to procure money from the Goodman 18 Foundation with respect to the use of that field?</p> <p>19 A No, I was not.</p> <p>20 Q Okay. I believe, if I'm remembering the timeframe 21 right, you were -- in 2015 you were still on the 22 leadership council or the general council; 23 correct?</p> <p>24 A Correct.</p> <p>25 Q Did Edgewood's improvement of the field in 2015,</p>	<p>1 MR. INGRISANO: Objection. Form, 2 foundation.</p> <p>3 A No, but I think within a school you're always 4 trying to improve. You don't stay static. You 5 try to improve everything, or meet the signs of 6 the times, to use a well-worn phrase.</p> <p>7 Q Okay. I want to ask you to turn to paragraph 8. 8 Have you had a chance to review paragraph 8?</p> <p>9 A Yes.</p> <p>10 Q Thank you. You refer in that paragraph to the 11 boys' football team hosting the Madison Police 12 Department's annual youth football camp; correct?</p> <p>13 A Correct.</p> <p>14 Q Can you tell me what that entails?</p> <p>15 A I don't know exactly what it entails now. I do 16 know just my point in here is service is important 17 to the athletic teams, and I'm mostly aware of 18 what I see in the paper or what I see on the 19 evening news. I'm not there on the field watching 20 it, but I see, you know, the golf team raising 21 money for breast cancer for a number of years, and 22 it's through their membership of being on an 23 Edgewood team, that it's not just internal, let's 24 go win a football game or let's win a golf 25 tournament, it's also what's the outreach and</p>
<p>1 did that come to the general council or the 2 leadership council in any fashion?</p> <p>3 A I believe so. You know, as a point of interest, 4 what's going on in the school.</p> <p>5 Q So as I understood it, just to inform you about 6 it, not to seek any kind of approval or permission 7 or anything of the like. Is that fair?</p> <p>8 A That's fair.</p> <p>9 Q Do you believe -- well, let me strike that and 10 start again.</p> <p>11 As I understood a comment you made earlier 12 was that Edgewood has been at its location and has 13 been a part of the community since 1881; is that 14 right?</p> <p>15 A Correct.</p> <p>16 Q Do you believe that since 1881 Edgewood has 17 fulfilled its religious mission of educating the 18 whole student, mind, soul, and body?</p> <p>19 MR. INGRISANO: Objection. Form, 20 foundation. Go ahead.</p> <p>21 A I'd say that's certainly been the goal, you know, 22 of our institutions, of being a part of Edgewood. 23 To educate the whole student is our goal.</p> <p>24 Q Do you believe Edgewood High School has failed in 25 that goal?</p>	<p>1 service.</p> <p>2 Q Okay. So with respect to this event, it sounds 3 like you have not personally --</p> <p>4 A No.</p> <p>5 Q -- viewed it; correct?</p> <p>6 A No. Again, I see what -- I talk to people, I read 7 the newspaper, I watch the evening news.</p> <p>8 Q Okay. Do you know whether this particular event 9 occurred at the time that you were principal?</p> <p>10 A No, it did not.</p> <p>11 Q Okay.</p> <p>12 A We had other -- we had service events but not this 13 particularly.</p> <p>14 Q Okay. Do you know whether this is a daytime or 15 nighttime event?</p> <p>16 A I don't know.</p> <p>17 Q Okay. In that same paragraph you mention that the 18 girls' golf team has for 19 years hosted the 19 annual Crusade for the Cure golf tournament.</p> <p>20 A Correct.</p> <p>21 Q Do you know which 19 years? What's the actual 22 calendar dates?</p> <p>23 A Well, I know they had it this year. So if we back 24 up twenty years, again, I saw it -- I read it in 25 the paper, I saw it in the news, and I read it in</p>

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<p>1 the Edgewood newsletter. I was not there at the 2 tournament but --</p> <p>3 Q Is it fair to say, similar to the football 4 example, that this is something that you have not 5 personally been a part of or witnessed; correct?</p> <p>6 A Correct.</p> <p>7 Q All right. And was this an event that occurred at 8 the time that you were principal?</p> <p>9 A No, because it didn't happen then. It's happened 10 within these 19 years.</p> <p>11 Q Okay. But going back 19 years, if my math is 12 correct, you're suggesting this was 2002 to 2021?</p> <p>13 A Correct.</p> <p>14 Q Or maybe it's 2003 to 2022, if I'm to be clear; 15 correct?</p> <p>16 A That's correct.</p> <p>17 Q Okay.</p> <p>18 A As far as I know, yeah.</p> <p>19 Q The 19 years, you're getting that from the 20 newspaper?</p> <p>21 A Yes.</p> <p>22 Q Okay.</p> <p>23 A And from TV.</p> <p>24 Q Okay.</p> <p>25 A Channel 3 I think we had it on.</p>	<p>1 A We had lots of dreams.</p> <p>2 Q Were you aware at the time that you were principal 3 of Edgewood that neighbors would potentially 4 oppose building a stadium on campus?</p> <p>5 MR. INGRISANO: Objection. Form, 6 foundation.</p> <p>7 A I don't think the word stadium is an accurate one 8 in this case, because I don't think we ever had a 9 dream of a stadium. I think we had a dream of 10 being able to play our own football games on our 11 own field and not having to transport students and 12 figure out the logistics of all of that and have 13 athletics.</p> <p>14 In regard to the neighbors, I was there as 15 faculty and as principal during the years of 16 Edgefest. I don't know if you know what that is. 17 And we tried very hard and, again, distributed 18 information to neighbors within a larger, not just 19 the perimeter because it was a huge city event, so 20 we would try to distribute -- we didn't try. We 21 distributed fliers, leaflets, whatever, to the 22 entire neighborhood to tell them what was going on.</p> <p>23 Q And can you describe what Edgefest is?</p> <p>24 A Edgefest was -- it was primarily a fundraiser for 25 Edgewood High School, but it was in the form of</p>
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<p>1 Q Do you know where the golf team plays its games or 2 tournaments --</p> <p>3 A No.</p> <p>4 Q -- for Edgewood? Okay.</p> <p>5 A No. I'm not aware of that.</p> <p>6 Q It's fair to say, though, that there is not a 7 golf course at the Edgewood campus. Is that true?</p> <p>8 A Correct.</p> <p>9 Q Okay. But the golf team is still able to honor 10 the Dominican Sisters of Sinsinawa's values of 11 community and partnership, that aspect of your 12 religious beliefs, by holding events off campus; 13 correct?</p> <p>14 A Yes. And I think all golf tournaments are off 15 campus in any school.</p> <p>16 Q Okay.</p> <p>17 A Around here, anyway.</p> <p>18 Q Forgive me. I'm not sure. I might have asked 19 this question but I'm not sure. While you were 20 principal and you had the dream of potentially 21 building a stadium, did you ever have any 22 conversations with any of the community residents 23 or neighborhood associations about that potential?</p> <p>24 A No, because it was a dream at that point.</p> <p>25 Q Okay.</p>	<p>1 really it grew to be a city fair. You know, it 2 had lots of events for families inside the 3 building as well as outside. It had entertainment 4 and, you know, kind of talent shows, luncheons. 5 It was a weekend citywide fair, and everyone in 6 the city was invited.</p> <p>7 Q And was there a typical time period, you know, 8 month where Edgefest occurred?</p> <p>9 A It was September.</p> <p>10 Q Okay.</p> <p>11 A The week after Labor Day. The weekend after 12 Labor Day.</p> <p>13 MR. INGRISANO: Counsel, can we get 14 a break?</p> <p>15 MS. ZYLSTRA: Sure.</p> <p>16 MR. INGRISANO: Thanks. (Recess)</p> <p>18 Q Sister Kathleen, while you were principal of 19 Edgewood High School, did you undergo any kind of 20 accreditation?</p> <p>21 A Yes.</p> <p>22 Q Okay. During your time was there like a formal 23 accreditation report that came out of the 24 accreditation process?</p> <p>25 A Yes.</p>

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<p>1 Q Okay. Do you recall whether the accreditation 2 report during the time period that you were 3 principal addressed enrollment at all? And in 4 particular, ways to increase enrollment? 5 MR. INGRISANO: Objection. Form, 6 vague. Go ahead. 7 A The accreditation process that we went through 8 every, periodically every few years was through 9 North Central, which I don't even know if it 10 exists now because I've been away from that for a 11 long time, but they would not -- how do you phrase 12 that. 13 Q Increase enrollment? 14 A They would not address it but note it. 15 Q Okay. Did you undertake activities while you were 16 principal at Edgewood High School to increase 17 enrollment? 18 A Yes. 19 Q And what types of things did you do or focus on to 20 increase enrollment? 21 A Again, Edgewood has always had a lot of feeder 22 schools as the only Catholic school in the area, 23 so we would invite students, like sixth, seventh, 24 eighth graders, to come to volleyball games, 25 basketball games, plays. We would have open</p>	<p>1 students go out and help at those schools, 2 you know, playground duty or reading classes, 3 you know, so it was, you know, in every way that 4 we could to -- and it was primarily parochial 5 schools. We would try, you know, middle schools, 6 but the public schools, you know -- I shouldn't 7 say. I shouldn't shake my head. Public schools 8 sometimes just don't have the flexibility that 9 maybe the smaller Catholic schools like St. James 10 or Blessed Sacrament that are nearby have. 11 Q Okay. And are you aware from your time at 12 Edgewood in any capacity, whether it would be as 13 principal, as faculty, or just in your role as 14 general leadership council, are you aware of any 15 studies that have been done on enrollment in 16 Edgewood High School at all? 17 A I would say that was ongoing. I mean, you were 18 always trying to look at enrollment and enrollment 19 patterns and enrollment in the other schools. So 20 that was really a constant. 21 Q And that's a fair point, and let me try and 22 clarify my question. 23 I guess I was asking about maybe more formal 24 studies where you, for example, have an outside 25 person, outside vendor or an entity and they come</p>
<p>1 houses. We would have, oh, I guess we called it 2 like shadowing students. We would have one-on- 3 one, you know, kind of come to school for a day 4 and see what a particular student -- you know, go 5 through the whole day with a particular student. 6 Certainly if we had, you know, an all-school 7 liturgy, a mass, students would be invited to that 8 or Edgefest kinds of activities, you know, during 9 my period. 10 Q And did you generally find, in terms of your 11 efforts to increase enrollment, that focusing on 12 the parochial feeder schools, as you call them, 13 was the most effective way to increase enrollment? 14 MR. INGRISANO: Objection. Form. 15 Go ahead. 16 A Focusing on them? 17 Q That is the activities that you described in terms 18 of the feeder schools. 19 A Right. 20 Q Those activities you found were the most 21 successful? 22 A Effective. 23 Q Effective, thank you. For increasing enrollment? 24 A Yes. I think trying to be in relationship to 25 those schools and also sometimes having our</p>	<p>1 in and kind of do an in-depth study of enrollment 2 or anything like that. Are you aware of any kind 3 of studies like that? 4 A Not during my time, no. But the study of 5 enrollment and enrollment patterns was all the 6 time. 7 Q Okay. 8 A And larger demographics. 9 Q Okay. Are you aware that Edgewood High School and 10 Edgewood College and the Campus School submitted a 11 master plan to the city in 2014? 12 A No. 13 Q I'm guessing no from your answer, but just to be 14 clear, you were on the general council of the 15 Dominican Sisters of Sinsinawa in 2013 and '14; 16 correct? 17 A Correct. 18 Q Do you recall Edgewood's Campus Master Plan coming 19 before that general council at all for approval or 20 to inform you of that master plan? 21 A No, I don't remember that. 22 Q Okay. Have you ever seen Edgewood's 2014 Campus 23 Master Plan? 24 A Have I ever seen it physically? 25 Q Have you ever seen or read the document?</p>

1 A No. 2 Q Okay. Separate from having seen or read the 3 document, are you aware that Edgewood submitted a 4 campus master plan to the City of Madison in 2014? 5 MR. INGRISANO: Objection. Form. 6 A No. No, I didn't know they submitted it to the 7 city. 8 Q Okay. But you're aware of its existence? 9 A Yes. In a vague kind of way from, again, casual 10 conversations. 11 Q To the extent that Edgewood indicates in their 12 document that its athletic field would only be 13 used for team practices and physical education 14 classes, do you agree that under the five values 15 of the Dominican Sisters of Sinsinawa that 16 Edgewood should honor what it wrote? 17 MR. INGRISANO: Objection. Form 18 and foundation. Assumes facts not in 19 evidence, argumentative. Go ahead. 20 A I was going to say, I see that as kind of a 21 leading question. 22 Hypothetically, yes. 23 Q Okay. Do you have any specialized education or 24 training on the topic of whether modern culture 25 places a priority on sports?	Page 97 1 Q Okay. Fair to say that -- or you agree that 2 you're not an expert as to how many people 3 Edgewood reaches with its off-campus athletic 4 games versus its on-campus athletic games. You 5 agree you're not an expert in that? 6 A I'm not an expert. 7 MR. INGRISANO: Objection. Form. 8 THE WITNESS: Sorry. 9 MR. INGRISANO: Calls for a legal 10 conclusion as to definition of expert, but go 11 ahead. 12 A I think the answer was no. 13 Q And just to fix it, because I said you agree you 14 are not an expert. 15 A Yes, I am not an expert. 16 Q Thank you. Have you ever looked at or compared at 17 all the facilities Edgewood High School has to 18 offer prospective students as compared to other 19 nonreligious high schools in the Madison area? 20 A No. 21 Q Okay. Did you attend any athletic competitions, 22 games, that were held at Edgewood High School's 23 field on campus from -- or after you left as 24 principal in 1989? 25 A No.
Page 98 1 A Can you ask that again, please? 2 Q Sure. Do you have any specialized training or 3 education on the topic of whether modern culture 4 places a priority on sports? 5 A No, I have no training -- 6 Q Okay. 7 A -- in that area. 8 Q Have you ever spoken about that topic? 9 A Spoken formally? 10 Q Correct. 11 A No. 12 Q Have you ever done any research or writing on that 13 topic, of whether modern culture places a priority 14 on sports? 15 A No. 16 Q Do you agree that you're not an expert on modern 17 culture and sports? 18 A I would agree. I'm not an expert. 19 Q Have you ever looked at or tried to quantify in 20 any way how many people Edgewood High School 21 reaches with its off-campus activities as opposed 22 to its on-campus activities? 23 MR. INGRISANO: Objection. Form, 24 vague. 25 A No. I've never researched that.	Page 98 1 Q Probably not because of your answers, but I just 2 want to make sure. You said you were aware of the 3 existence of a 2014 campus master plan. Do you 4 know when you became aware of the existence of 5 that? 6 A You know, I couldn't put that down to a date or a 7 year even, and, again, I never saw it. It was 8 just because I know so many people at Edgewood, 9 it was just somewhere in conversation. 10 Q Do you believe it would have -- and you may not 11 know. Do you believe it would have been around 12 the time that it passed in -- or that it was 13 drafted in 2014 or later or don't you know? 14 MR. INGRISANO: Objection. Form, 15 foundation. Go ahead. 16 A I would say later. 17 Q Okay. Are you aware that in 2018 Edgewood High 18 School wanted to amend its master plan? 19 A What was the verb in the beginning? 20 Q Are you aware that in 2018 Edgewood High School 21 sought to amend its master plan? 22 A Am I aware, yes. 23 Q Okay. Were you aware of it at the time back in 24 2018 or is this something you learned later? 25 A Learned later.

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<p>1 Q Okay. Do you have any idea when, even the year, 2 that you would have learned that?</p> <p>3 A You know, I think it was like an article in the 4 newspaper.</p> <p>5 Q Okay. Were you aware that the amendment in 2018 6 was to increase seating at the athletic field, 7 add restrooms, add lighting, and install a sound 8 system?</p> <p>9 A No, I was not aware of that.</p> <p>10 Q Are you aware of that now sitting here today or no?</p> <p>11 A No. I just know the lighting issue.</p> <p>12 Q All right. Are you aware at all that in April and 13 May of 2019 the city had issued notices to 14 Edgewood for holding athletic contests on its 15 field?</p> <p>16 A No.</p> <p>17 Q Okay. As I understood it, Sister Kathleen, at 18 some point you spoke at a city Zoning Board of 19 Appeals meeting.</p> <p>20 A Yes, I did.</p> <p>21 Q You recall that; correct?</p> <p>22 A Yes.</p> <p>23 Q What did you understand, if anything, what the 24 issue was that you were speaking about at that 25 meeting?</p>	<p>1 A I do remember some of the girls talking about 2 trying to play soccer and they were being harassed 3 on their own field, which I thought was 4 deplorable.</p> <p>5 Q And did you get any more detail than they were 6 getting harassed or can you provide for me 7 whatever you know about that?</p> <p>8 A I just know there was one girl who was testifying 9 in front of me who was an Edgewood student who 10 talked about the girls were trying to have, I 11 don't even know if it was a game or soccer 12 practice, but it was soccer, out in the field and 13 there were some people from the neighborhood, I 14 would say, in some sense, harassing them, and 15 there was one man in particular who had a camera 16 and was taking photographs of the girls and they 17 were -- harassment is probably the only word I can 18 use for that.</p> <p>19 Q Okay. Were you -- I don't think you were based on 20 your prior testimony. You weren't at the field 21 when this was --</p> <p>22 A No.</p> <p>23 Q -- going on; correct?</p> <p>24 A No. No, I was not.</p> <p>25 Q Okay.</p>
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<p>1 A I believed it to be the lighting issue and the 2 ability of the students to be able to use the 3 field, even to use the field at that point.</p> <p>4 Q Okay. And when you say the lighting issue, what 5 do you mean?</p> <p>6 A That Edgewood wanted to have lights as a part of 7 the renovated field and that the lights, as I 8 understood, was extensively studied how they could 9 have lights and when they could use them and how 10 they would have the least amount of effect in the 11 neighborhood.</p> <p>12 Q Okay. And what was your purpose for speaking at 13 that meeting?</p> <p>14 A It was to speak in support of the high school.</p> <p>15 Q Okay.</p> <p>16 A It was like a three-minute.</p> <p>17 Q Yes, the city does have its little rules on trying 18 to let everyone get a chance to speak, that's for 19 sure.</p> <p>20 Okay. Do you recall at all what the result 21 was of that meeting where you spoke?</p> <p>22 A I didn't stay for the whole thing because it went 23 until, like, midnight, but I do think it was not 24 in favor of Edgewood.</p> <p>25 Q Okay.</p>	<p>1 A It was the student's testimony.</p> <p>2 Q Okay. I think you said at some point you became 3 aware that, and forgive me, I didn't -- I don't 4 have a good recollection of your testimony. Did 5 you say that you were aware that Edgewood was 6 trying to amend its master plan in 2018?</p> <p>7 A Tell me the verb again. That I was aware?</p> <p>8 Q Were you aware that Edgewood sought to amend its 9 master plan in 2018?</p> <p>10 A Not in 2018. Again, I think it was later.</p> <p>11 Q Thank you.</p> <p>12 A Yeah.</p> <p>13 Q Thank you. I just forgot what you said.</p> <p>14 MR. INGRISANO: Counsel, her 15 testimony was that she became aware of it at 16 some point after.</p> <p>17 Q Thank you. I'm sorry. I just didn't have good 18 notes and couldn't remember what you said.</p> <p>19 Do you have an understanding at all with what 20 happened to that, that is, the amendment to the 21 master plan?</p> <p>22 A No. No, I don't.</p> <p>23 Q Do you have any knowledge as to why Edgewood 24 withdrew its application to amend its master plan?</p> <p>25 A No, I don't.</p>

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<p>1 Q Okay. Did you have any understanding about -- or 2 knowledge about the city receiving complaints in 3 March, April, and May of 2019 about Edgewood?</p> <p>4 A No.</p> <p>5 Q Okay. Have you ever heard of the group called the 6 Friends of Lake Wingra?</p> <p>7 A No.</p> <p>8 Q Okay. Are you aware that there were at least some 9 Edgewood alumni who did not support Edgewood's 10 request for lights for its athletic field?</p> <p>11 A I don't know that. But we have thousands of 12 alums, so I'm sure there is a difference of 13 opinions. That's a part of diversity.</p> <p>14 Q Would you consider any alum who does not support 15 Edgewood's request for lights as somehow being not 16 true to the Dominican Sisters of Sinsinawa's 17 mission or the Catholic faith?</p> <p>18 MR. INGRISANO: Objection. Form.</p> <p>19 A No. I'd like to have a conversation with them, 20 but I think people have a right to their own 21 ideas. That's a part of Catholicism too.</p> <p>22 Q Have you personally spoken or had any written 23 communications with any city alders or the mayor 24 or city officials about Edgewood from 2015 to 25 present?</p>	<p>1 Q -- or conversations with Matt Tucker?</p> <p>2 A No. I've obviously heard his name somewhere, 3 but I obviously don't know who he is.</p> <p>4 Q And any communications or conversations or 5 anything involving Tim Parks at the city?</p> <p>6 A No.</p> <p>7 Q Or George Hank at the city?</p> <p>8 A No.</p> <p>9 Q Okay. Have you seen any city officials ever 10 express any anti-Catholic animus at all?</p> <p>11 MR. INGRISANO: Objection. Form. 12 Vague as to "city official," but go ahead.</p> <p>13 A Is that in regards to Edgewood?</p> <p>14 Q Correct.</p> <p>15 A No.</p> <p>16 Q Okay. Separate from how the common council voted 17 and the plan commission voted, do you have any 18 criticisms of any city staff and how they've acted 19 with respect to Edgewood throughout this process 20 involving Edgewood and its lights?</p> <p>21 MR. INGRISANO: Objection. Form, 22 foundation. Go ahead.</p> <p>23 A No. And when you use the word Edgewood, I think 24 it's good to say Edgewood High School, you know, 25 just for clarification.</p>
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<p>1 A No.</p> <p>2 Q Okay. Other than appearing at the Zoning Board 3 of Appeals. But you don't recall any other 4 conversations?</p> <p>5 A No. Not with any of them.</p> <p>6 Q Okay. Have you personally spoken or had any 7 written communications with anyone on the city's 8 plan commission about Edgewood from 2015 to 9 present other than the Zoning Board of Appeals?</p> <p>10 A No.</p> <p>11 MR. INGRISANO: Can you read that 12 last question back, please?</p> <p>13 (Question read)</p> <p>14 MR. INGRISANO: Thank you.</p> <p>15 Q Did you speak at any city meeting -- There were 16 meetings in front of the common council. There 17 were meetings in front of the plan commission. 18 Did you speak at any other public meeting other 19 than the Zoning Board of Appeals?</p> <p>20 A No, I did not.</p> <p>21 Q Okay. Do you know who Matt Tucker is?</p> <p>22 A I think he might be a city alderman. Am I right?</p> <p>23 Q He was the zoning administrator, but that's okay.</p> <p>24 You don't recall any communications --</p> <p>25 A No.</p>	<p>1 Q Okay.</p> <p>2 A The high school and college and campus school tend 3 to get lumped together.</p> <p>4 Q Well, that's fair. Separate from Edgewood High 5 School, if we include Edgewood College and 6 Edgewood Campus School, do you have any criticisms 7 of any city staff and how they've acted toward 8 those organizations?</p> <p>9 A No, I do not. Sorry, I didn't mean to step on 10 you.</p> <p>11 Q That's okay. And have you ever seen any city 12 officials ever express any anti-Catholic animus to 13 Edgewood College or Edgewood Campus School?</p> <p>14 A No.</p> <p>15 MS. ZYLSTRA: Okay. Just give me a 16 minute. I just want to review, and I might 17 be done. Maybe not.</p> <p>18 MR. INGRISANO: Yeah. Do you want 19 us to step out?</p> <p>20 MS. ZYLSTRA: Yeah. Well, we'll 21 step out. Just give us one minute.</p> <p>22 MR. INGRISANO: I appreciate it. 23 Thank you.</p> <p>24 (Recess)</p> <p>25 MS. ZYLSTRA: I actually think we</p>

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<p>1 are done. Thank you, Sister Kathleen. 2 MR. INGRISANO: I've got a couple 3 questions, though, actually. 4 5 EXAMINATION 6 By Mr. Ingrisano: 7 Q Sister, I'm going to ask you to put your phone 8 down there for a second. 9 A Yeah. Sorry. 10 Q You were asked some questions from counsel 11 regarding property that the sisters owned in 12 Chicago and in Wisconsin. Do you recall that 13 line of questioning? 14 A Yes. Yes. 15 Q And you mentioned some houses in Madison. 16 Correct? 17 A Right. 18 Q With respect to the schools that you've 19 identified, whether it's Dominican, Queen of 20 Peace, Edgewood, do you have an understanding of 21 who owns the properties -- the schools and the 22 properties that they're located on? 23 A Yes. 24 Q And who owns those? 25 A The Dominican Sisters of Sinsinawa --</p>	<p>1 A Correct. 2 Q On the right-hand side of this page, do you see 3 a link on what would be the website to sponsored 4 institutions? Do you see that? 5 A Yes. 6 Q Can you turn within this Exhibit 49 to the page 7 that lists those sponsored institutions? 8 A Where is it? 9 Q If you could find it. 10 A Sure. Can you show me what the page looks like? 11 Q I'm asking you to find it because I couldn't find 12 it. 13 A It must not be part of what they printed out, 14 then. 15 Q Okay. 16 A Right? 17 Q So in reviewing Exhibit 49, do you believe that to 18 be a complete copy of the contents of the website, 19 at least as of that date, 5/9/22? 20 MS. ZYLSTRA: Objection. Form, 21 foundation. 22 A No. I would say it's not a complete website. 23 MR. INGRISANO: I've got no further 24 questions. 25</p>

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1	A It probably wouldn't be a full description because	1 STATE OF WISCONSIN) 2 it would be very long, you know. They're each --) ss. 3 it would give an overview. Again, it would give 4 an overview of each of the institutions in terms 5 of what they feature, you know, who their 6 population is, where they are. Some sense of who 7 they are.
8	Q Okay. And do you believe that would be part of	4 I, Peggy S. Christensen, Registered Professional 9 the Dominican Sisters of Sinsinawa's website as 10 opposed to the sponsored institution's website?
11	MR. INGRISANO: Objection. Form.	5 Reporter and Notary Public in and for the State of 12 Go ahead. 13
14	A It would probably -- sorry. It would probably	6 Wisconsin, do hereby certify that the foregoing 15 be -- there would probably be a link to the 16 school.
17	Q Okay.	7 deposition of SISTER KATHLEEN PHELAN was taken before 18
19	A It would make sense.	8 me on August 10, 2022, and reduced to writing by me, 19 a professional court reporter and disinterested 10 person, approved by all parties in interest and 11 thereafter converted to typewriting using 12 computer-aided transcription.
20	Q I understand. So you believe that the link would	13 I further certify that I am not related to nor 21 take you to Edgewood High School's website; correct?
22	A Correct.	14 an employee of counsel or any of the parties to the 23
24	Q And that's where the information would likely be	15 action, nor am I in any way financially interested in 25 about their athletic programs; correct?
25	A The specific information about that school's	16 the outcome of this case.
	Q But not the Dominican Sisters of Sinsinawa's	17 IN WITNESS WHEREOF, I have hereunto set my hand 20 and affixed my notarial seal of office at Madison, 21 Wisconsin, this 16th day of August 2022.
22		22
23		23 Notary Public, State of Wisconsin 24 My Commission Expires August 7, 2024
24		25
25		
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1	website; true?	
2	A No, but it would speak -- I mean, it would speak	
3	to it, again, in its overview of each of the	
4	schools.	
5	MS. ZYLSTRA: No further questions.	
6	Thank you.	
7	MR. INGRISANO: Thank you very	
8	much. Reserve read and sign.	
9	(Adjourning at 1:13 p.m.)	
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